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LUSTMORD AND LOVING THE OTHER: A HISTORY OF SEXUAL MURDER IN
MODERN GERMANY AND AUSTRIA (1873-1932)

by

Amber Marie Aragon-Yoshida

A dissertation presented to the
Graduate School of Arts and Sciences
of Washington University in
partial fulfillment of the
requirements for the degree
of Doctor of Philosophy

December 2011

Saint Louis, Missouri

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December 2011

Acknowledgments

This project would not have been possible without the generous institutional support from the Department of History at Washington University in St. Louis. I also wish to thank the Department of Germanic Languages and Literatures at Washington University for making possible my year abroad as an exchange student in 2006-2007 at Ludwig-Maximilians-Universität in Munich, Germany. Funding through the R.W. Davis Travel Grant also helped make possible short-term research trips to Berlin, Vienna, and North Rhine-Westphalia.

Special thanks to the staff at the Kreisarchiv Warendorf, the Landesarchiv Berlin, the Landesarchiv Nordrhein-Westfalen Abteilung Westfalen, the Wiener Stadt- und Landesarchiv, the Österreichische Nationalbibliothek, the Staatsbibliothek zu Berlin – Zeitungsabteilung, the Universitätsbibliothek München, Stadtarchiv – Bochumer Zentrum für Stadtgeschichte, Stadtarchiv Münster, the Universitätsbibliothek Wien, Bernard Becker Medical Library, and Olin Library for their help in locating primary source materials.

Special thanks to: Jonathan Petropoulos, for introducing me to Maria Tatar's inspiring work *Lustmord: Sexual Murder in Weimar Germany* (1995) when I was an undergraduate at Pomona College; Andreas Wirsching, for investing in my project in the very initial stages; Richard Wetzell, for kindly introducing me to relevant works on related topics; Karl Corino, for the groundwork he did years ago and for directing me to pertinent source materials; Eva Bischoff and Mitchell Ash, for helpful conversations in the beginning stages of my research; Keely Stauter-Halstead and Nancy Wingfield, for allowing me to present and receive feedback of an early draft of a chapter at the conference, "Sex in the Cities: Prostitution, White Slaving, and Sexual Minorities in Eastern and Central Europe."

I would like to thank to all of my committee members who provided me with the valuable and insightful feedback that I needed to complete this project: Hillel Kieval (chair), Andrea Friedman, Gerald N. Izenberg, Paul Michael Lützeler, Lynne Tatlock, and Corinna Treitel. I wish to thank my advisor Hillel for helping me learn a valuable lesson through this process—that is, detours in writing are sometimes necessary to arrive at where I want to go.

I wish to thank the Institute for Recruitment of Teachers at Phillips Academy for giving me the necessary support to successfully enter and complete a Ph.D. program. I would like to thank the faithful friends that I have had in St. Louis over the years—who became like family to me and enabled me to call St. Louis home during my graduate career including: Meg, Carol, Emmanuelle, Wendy, Laura, Steve, Paul, Paul, and Helen.

I also would like to thank my parents and siblings for all of their love, support, and encouragement in my personal and professional pursuits over the years. To my husband Koji Yoshida, my "impossible possibility," thank you for all of your acceptance, patience, and love and for sharing this project with me. To the One who promised that He would give me something to write, thank you for giving me the strength to finish and the ability to continue this project as a Washington University / Volkswagen Foundation Postdoctoral Fellow at the Institut für Zeitgeschichte under Director Prof. Dr. Andreas Wirsching.

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“Do not remember the former things,
or consider the things of old.
I am about to do a new thing;
now it springs forth, do you not perceive it?
I will make a way in the wilderness
and rivers in the desert.”

Isaiah 43:18-19

Introduction

Historian Pablo Piccato has written about the meanings of sexual violence in turn-of-the-century Mexico City in the case of “El Chalequero” or the Mexican Jack the Ripper. After Francisco Guerrero’s arrest in 1888, the Mexican press compared his long series of violent crimes with those of Jack the Ripper in London, who had become internationally known that same year. When a Mexican criminologist and journalist Carlos Roumagnac later compared Guerrero with Jack the Ripper and other European criminals, Piccato writes, “There was a certain pride in this comparison: for Mexican elites, it conveyed the progress of the capital, which brought not only the technology, architecture, and fashion of the most advanced European countries, but also their new forms of crime.”¹

Because of the widespread notoriety of Jack the Ripper, this new category of serial sexual violence had become a visible symbol of modernity across the world by the turn of the century. What is now recognized as a common type of violence was once viewed as a new form of behavior that required a name; the concept of sexual murder emerged as a specifically modern phenomenon in the late 1870s and early 1880s as sex became increasingly discussed in psychiatry, sexology, and criminology.² In fact,

¹Pablo Piccato, “‘El Chalequero’ or the Mexican Jack the Ripper: The Meanings of Sexual Violence in Turn-of-the-Century Mexico City,” *Hispanic American Historical Review* 81: 3-4 (August-November 2001), 625.

²Deborah Cameron and Elizabeth Frazer, *The Lust to Kill: A Feminist Investigation of Sexual Murder* (Washington Square: New York University Press, 1987), 19, 21-22. By attempting to explain the appearance of sexual murder in the late nineteenth century, Jane Caputi agreed with Cameron and Frazer that there was a time when sexual murder did not exist. Caputi held that although there were earlier notions of sex crimes in medieval and modern Europe related to “beliefs about god and nature, witches and devils, werewolves and vampires, sexuality and sin,” she viewed sexual murder as distinct because this type of crime became no longer associated with these beliefs, nor with war and crisis, and has become more and

German-speaking Europeans first identified sexual murder as ‘*Lustmord*,’ that is, murder motivated by sexual gratification, in 1880 when eight murders occurred in Bochum from 1878 to 1882. They also depicted Lustmord as a central subject in artistic works³ beginning in the 1890s and especially with the relaxation of censorship after World War I.⁴ While Jack the Ripper would influence German representations of Lustmord in the

more common. Jane Caputi, *The Age of Sex Crime* (Bowling Green, OH: Bowling Green State University Popular Press, 1987), 4.

³ The artists, playwrights, poets, novelists, and directors who used the image of sexual murder in their work include: Hugo Bettauer, Heinrich Maria Davringhausen, Alfred Döblin, Otto Dix, George Grosz, John Heartfield, Karl Jakob Hirsch, Hans Henny Jahnn, Martin Kessels, Fritz Lang, Robert Musil, G. W. Pabst, Rahel Sanzara, Heinrich Schäfer, Rudolf Schlichter, Jakob Wassermann, Frank Wedekind, Erich Wegner, Ernst Weiss, and possibly Gottfried Benn, Georg Scholz, Kurt Schwitters, and Gert Wolheim. One of Erich Wulffen’s books also included illustrations by German and French artists: Willi Geiger, Alfred Kubin, Walter Trier, Max Beckmann, Frans Masereel, Käthe Kollwitz, and Ernst Stern. For a compilation of images of sex murder, see Christiane Toppler, “Lustmord: Das Sexualverbrechen als ästhetisches Sujet in der Kunst” M.A. Thesis, Universität Wien, 2005. See also Kathrin Hoffmann-Curtis, “Frauenmord als künstlerisches Thema der Moderne” in *Serienmord: Kriminologische und kulturwissenschaftliche Skizzierungen eines ungeheuerlichen Phänomens*, ed. Frank J. Robertz and Alexandra Thomas, 282-300 (München: bellevalle Verlag, 2004) and Martin Lindner, “Der Mythos >Lustmord<. Serienmörder in der deutschen Literatur, dem Film und der bildenden Kunst zwischen 1892 und 1932” in *Verbrechen-Justiz-Medien: Konstellationen in Deutschland von 1900 bis Gegenwart* (Studien und Texte zur Sozialgeschichte der Literatur; Bd. 70), ed. Joachim Linder, Claus-Michael Ort, Jörg Schönert, Marianne Wunsch (Tübingen: Max Niemeyer Verlag, 1999); and Hania Siebenpfeiffer, *Böse Lust: Gewaltverbrechen in Diskursen der Weimarer Republik* (Köln: Bohlau Verlag, 2005).

⁴ In 1990, Beth Irwin Lewis’s “*Lustmord: Inside the Windows of the Metropolis*” provided an historical explanation for the proliferation of these artistic images in Weimar Germany. Her article was among the first scholarly analyses to examine the images of women’s violently disfigured bodies rather than the technical, stylistic aspects of these images or the artists’ political critiques behind them. She argued that male avant-garde artists, such as George Grosz and Otto Dix, shared the contemporary anxieties of the urban middle classes toward women’s changing roles. She faulted both low and high culture for linking women (and the women’s movement) to the social problems caused by urban industrialism and intensified by the First World War. Beth Irwin Lewis, “*Lustmord: Inside the Windows of the Metropolis*” in *Women in the Metropolis: Gender and Modernity in Weimar Culture*, ed. Katharina von Ankum (Berkeley: University of California Press, 1997), 206, 226.

Lewis’s work paved the way for Maria Tatar’s book-length study *Lustmord: Sexual Murder in Weimar Germany* which appeared in 1995 and provided an aesthetic and psychological approach to understanding the production of images of sexual murder in art, literature, and film during the Weimar period. As a scholar of German cultural and literary studies, Tatar argued that male artists constituted their masculine and artistic identity through their representations of mutilated women’s bodies. As did Deborah Cameron, Elizabeth Frazer, and Jane Caputi, Tatar questioned the “naturalness” of the connection between male aggression and violence toward women. Tatar drew on Lewis’s argument that these images after World War I resulted from the violent assault on male bodies during the war, veterans returning as amputees while women’s bodies were intact, the perceived threat by women in the labor force and in their advancement in legal rights, and the dread of female sexuality found in earlier images of the femme fatale. Tatar, however, added that negative feelings toward women increased after the First World War due to defeat and soldiers’ feelings of having “sacrificed” themselves and having been “stabbed in the back” at home.

Lulu plays of Frank Wedekind as early as 1894,⁵ Jack the Ripper's crimes were not in any way central to the development of Richard von Krafft-Ebing's authoritative definition and classification of Lustmord as a scientific concept in 1886. The purpose of this project is to understand the historical significance of German-speaking Europeans' responses to crises of modernity vis-à-vis their fin de siècle cultural fascination with crimes and representations of Lustmord.

In the following chapters, I address the emergence and development of the concept of Lustmord, particularly the changing ways in which medical, legal, and criminal experts, survivors, perpetrators, neighbors, the press, and artists understood and

In contrast to historian Peter Gay's characterization of the Weimar period as a revolt of sons against fathers, Tatar viewed Weimar as sons seeking revenge against women. She argued that particularly after World War I these artists created these violent images out of envy and competition with women's reproductive powers (i.e. womb envy), helpless infantile rage, a desire to transcend the mortality associated with the life women give birth to, and attempts to "contain the unruly sexuality of the female body and appropriate its seductive allure by placing it on display." She uniquely emphasized the mutilation of internal reproductive organs in addition to genitals such that the perversion of sexual desire alone could not account for these images. She drew on the ideas of Jane Caputi, Walter Benjamin, and Elisabeth Bronfen for the notion that male artists seek the birth of their masculinity and the death of their femininity through the destruction of the feminine and the creation of immortal art. Maria Tartar, *Lustmord: Sexual Murder in Weimar Germany* (Princeton: Princeton University Press, 1995), 10-12, 28, 80.

In *Modernism and Masculinity: Mann, Wedekind, Kandinsky through World War I*, intellectual historian and psychoanalyst Gerald N. Izenberg demonstrated the link between social changes before World War I and Early Modernist artists' ambivalence toward women. Izenberg's work provided evidence for what he saw as the previously assumed characterization of this period as male subjectivity in crisis. His work on three artists through World War I, who were connected to Germany, paralleled the arguments of Lewis and Tatar toward artists during and after the war in that these artists were dealing with their anxieties toward modern bourgeois capitalism, but were both fearful and desirous of women, especially the 'New Woman.' Men hoped to reconcile their identities by appropriating the feminine since they saw women as still whole beings untouched by the ravaging effects of industrial capitalism. As artists, they also felt the effects of their devalued work on their masculinity. Yet, they did not promote women's legal and political advancement as they did not want women to become like men who had been affected by the bourgeois public sphere. By appropriating the feminine, however, they destabilized the gender polarities by which they were attempting to regain their sense of masculine identity. In criticizing the individualism, materialism, and prudery of modern, bourgeois capitalism and morals, they promoted a freer sensuality for women, but also cautioned against the dangers of passion. Gerald N. Izenberg, *Modernism and Masculinity: Mann, Wedekind, Kandinsky through World War I* (Chicago: University of Chicago Press, 2000).

⁵ For a discussion on representations of Jack the Ripper in Germany at the turn of the century, see Susanne Komfort-Hein and Susanne Scholz, eds. *Lustmord: Medialisierungen eines kulturellen Phantasmas um 1900* (Königstein: Ulrike Helmer Verlag, 2007).

attempted to explain this modern phenomenon. I demonstrate the ways in which a society came to name, understand, and, to some degree, even accept a troubling new phenomenon in the context of rapid industrialization, urbanization, and secularization. The ways in which German-speaking Europeans identified and attempted to come to terms with this extreme form of sexual violence in several major cases in Bochum (1878-1882), Vienna (1910-1912), and Berlin (1921-1922) and through the development of Lustmord as a scientific and criminal concept reveals widespread cultural insecurity and uncertainty about crime and punishment, sexuality, insanity, morality, the metropolis, shifting gender relations, industrialization, and professionalization. The project also places Robert Musil's understanding of sexual murder and love in his pre-war novella "The Perfecting of a Love" and his post-war Austrian masterpiece *The Man without Qualities* (which he based on this pre-war Viennese case of a Bavarian sex murderer) in the context of a wider cultural crisis of identity making itself felt in law, psychiatry, criminology, criminalistics (forensics), art, society, and the press before and after World War I.

I argue that the legal and cultural treatment of sex murderers and their victims changed over three distinct phases during the course of the late nineteenth- and early-twentieth century. In the 1870s and early 1880s authorities considered rape murder as a breach of a social code of honor. Sex crime laws were linked to property rights and a woman's social status and legal rights depended on her sexual honor, economic background, and relationship to men. However, as examples in Münsterland indicate, local communities in both pastoral and industrial areas honored the memory of the victims of violent sex crimes. At the same time, residents in these communities

experienced shock and held such crimes to be beyond human comprehension. Although they expressed uncertainty about how to deal with these crimes, they longed to see human and divine justice executed against the perpetrator. The concept of Lustmord first developed along somewhat different lines in popular and criminological thinking—that is, in contrast to these popular responses, Krafft-Ebing’s understanding of Lustmord focused attention on criminals and their crimes, and not on the victims.

By the end of the nineteenth century, psychiatrists, criminologists, and jurists had become increasingly interested in the link between criminality and individuals with borderline mental abnormalities, that is, those considered neither fully sane nor insane.⁶ Professionals focused their attention on these individuals who could function normally in society and yet commit extremely violent sex crimes, rather than on their victims. Psychiatrists and jurists attempted to determine the motivation and legal responsibility of these criminals by evaluating their personality, behavior, previous life experiences, previous head injuries, alcohol consumption, history of mental health, and sexual history. Increased professionalization and medicalization of criminal justice during the late nineteenth century had liberalized the treatment of criminals.⁷ Liberal reforms attempted to redirect legal and penal efforts toward the criminal rather than the crime—in order to shift the emphasis from moral retribution to the protection of society and toward individualized preventive measures for criminals.⁸ These cultural trends generally improved the legal and social position of criminals (male and female), but they worsened

⁶ Richard F. Wetzell, “Psychiatry and criminal justice in modern Germany, 1880-1933,” *Journal of European Studies*, 39:3 (2009): 273.

⁷ See Richard F. Wetzell, “Psychiatry and criminal justice in modern Germany, 1880-1933,” *Journal of European Studies*, 39:3 (2009): 270-289.

⁸ See Richard F. Wetzell, *Inventing the Criminal: A History of German Criminology, 1880-1945* (Chapel Hill: University of North Carolina Press, 2000).

the position of victims of sex crimes before the law, especially urban lower-class women. While these sex murderers were not dehumanized and regarded as other despite medical views of them as “degenerate,” female survivors of abuse, sadism, and attempted murder experienced much narrower confines in which to express their public voice, turn to the law, and have their own responses paid public attention. Another reason for this change is that when sex crimes became crimes against morality, and thus were no longer crimes against property, sex crimes actually became less serious transgressions against the law in German culture, especially relative to crimes against property in the early 1900s.

A survey of recent historical studies on the late 1920s and beyond⁹ suggests that—in contrast to the late-nineteenth and early-twentieth century—legal attitudes toward serial murderers stiffened by the late Weimar period with the string of notorious serial murderers in Germany such as Fritz Haarmann, Karl Denke, and Peter Kürten. These criminals now came to be viewed as monsters by the press. However, with the relaxation of censorship following World War I, artistic representations of sexual murder became more socially accepted.¹⁰ Yet, modern criminology would not begin to pay attention to victims of violent sex crimes in productive ways until decades later.

Redemptive Art: Robert Musil and Sexual Murder

In response to censorship of artistic representation, including the Berlin police chief Herr von Jagow’s confiscation of publications of Flaubert’s diaries, Robert Musil

⁹ See chapters 12 and 13 in Richard J. Evans’ *Rituals of Retribution: Capital Punishment in Germany 1600-1987* (New York: Oxford University Press, 1996). See also Kerstin Brueckweh’s chapter on Haarmann in *Mordlust. Serienmorde, Gewalt und Emotionen im 20. Jahrhundert* (Historische Studien, Bd. 43, Campus Verlag: Frankfurt a.M./New York 2006) and Maria Tatar’s chapter on Kürten in *Lustmord: Sexual Murder in Weimar Germany* (Princeton: Princeton University Press, 1995).

¹⁰ Richard J. Evans, *Rituals of Retribution: Capital Punishment in Germany 1600-1987* (New York: Oxford University Press, 1996), 535.

published an article, “The Obscene and Pathological in Art” in 1911. Musil wanted freedom to speak about topics not usually permitted in German culture. Musil’s literature was and would be no stranger to taboo themes such as sexuality, incest, sexual abuse, sadism, adultery, and sex murder. In his radical manifesto, he argued that “art ought to be permitted not only to depict the immoral and the completely reprehensible, but also to love them.” He explained that “Art may well choose the obscene and pathological as its starting point, but what is then depicted—not the depiction itself but what is represented as obscene and pathological—is no longer either obscene or pathological.” He believed that the comparisons and connections that could be made through literature in relation to the obscene were not themselves obscene. In defense of artistic freedom, he argued, “If one has other than artistic desires, one does not gratify them through art.”

His main justification for using art as a means of gaining knowledge of the healthy was by comparing art to science. He argued:

It is no different in science. One finds all sorts of things in scientific books, harmless anatomical indecencies and perversities whose inner picture one can hardly even reconstruct out of the elements of a healthy soul. But one should not let oneself be deceived by disguises such as empathy, social obligation, or the glittering savior’s mask that doctors wear; one’s interest in these processes is direct, it seeks knowledge. Art too seeks knowledge; it represents the obscene and pathological by means of their relation to the decent and healthy, which is to say: art expands its knowledge of the decent and the healthy.¹¹

Musil clarified what he meant when he said that art ought to be permitted to love the immoral and completely reprehensible: “To love something as an artist, therefore, means to be shaken not by its ultimate value or lack of value, but by a side of it that suddenly

¹¹ Robert Musil, “The Obscene and Pathological in Art (1911)” in *Precision and Soul: Essays and Addresses*, ed. and trans. Burton Pike and David S. Luft (Chicago: University of Chicago Press, 1990), 5-6.

opens up. Where art has value it shows things that few have seen. It is conquering, not pacifying.”

Musil understood that art “therefore sees valuable sides and connections in events that horrify others” but he believed that “in this age which has so much anxiety about health and decadence—the boundary between mental health and illness, morality and immorality, is sought in a much too coarse, geometric way.” He argued against rigid judgmental viewpoints:

One must realize that every action, every feeling, every intention, every area of interest...can just as easily be healthy as sick; that in every healthy soul there are places identical to those in sick ones, and that deciding which is which depends only on the totality—on a relation of number, surface, weight, tension, value, or any other complicated relationship—of those details that today are only divided into the healthy and the sick. This significance ought not to be bestowed on these details for all time, but only according to what they produce in a specific case in a specific soul.¹²

To allow for all possibilities and avoid binary divisions, Musil reasoned, “So while it is not to be denied that the sick and immoral exist, what needs to be brought into the focus of thought is that the boundaries must be drawn differently. To give an example: one must admit that a sex-murderer can be sick, that he can be healthy and immoral, or that he can be healthy and moral; in the case of murderers these distinction are indeed made.” He advocated widening conceptions of how to achieve a particular moral goal, “Let us define as morality some common goal, but with a greater measure of permitted side paths.” Musil “did not deny that there could be dangers” in studying the obscene and pathological, but he argued that “What is done for science must also be done for art: accepting undesirable side effects for the sake of the main goal, and moreover

¹² Ibid., 7-8

diminishing their importance by making this main goal more magnificent.”¹³ As early as 1911, Musil could conceive that even an artist’s depiction of a sexual murderer could achieve a worthwhile—and even glorious—end. In fact, his use of the image of a sex-murderer would eventually become a central trope for expressing some of his fundamental ideas about artistic freedom and the role of art in society as well as love, morality, and identity.

Later that same year, Musil published his novella “The Perfecting of a Love.”¹⁴ Through the process of writing Musil attempted to try to understand and imagine how his devoted wife, whom he recently married, could have committed adultery. He attempted to depict her moment-by-moment thought process that could have led her from one state of mind to its opposite in twenty-four hours. In the novella he juxtaposes the themes of sexual murder and romantic union and transforms an act of adultery into a perfecting of a love.

The novella is about a happily married woman who because of her past sexual experiences is tormented and succumbs to the temptation of committing adultery with a stranger. She ultimately experiences this decision, however, as the perfecting of her love for her beloved husband. Her insecurity at the beginning of the novella transforms into security by the end of the novella—in coming to know that regardless of her surface

¹³ Ibid., 9.

¹⁴ According to Musil’s biographer, Karl Corino, as early as 1900, a *Mädchenmörder* by the name of Florian Großrubatscher had captured Robert Musil’s attention; Großrubatscher had staged a spectacular escape from an asylum in Pergine before he was hanged by a Viennese executioner at the fortress Rovereto. Karl Corino, “Zerstückt und Durchdunkelt: Der Sexualmörder Moosbrugger im ‘Mann ohne Eigenschaften’ und sein Modell,” *Musil-Forum* 10:1-2 (1984): 105; Karl Corino, “Ein Mörder macht Literaturgeschichte. Florian Großrubatscher, ein Modell für Musils Moosbrugger” in *Musil und die kulturellen Tendenzen seiner Zeit*, ed. Josef Strutz (München: Wilhelm Fink Verlag, 1983), 131.

physical actions, she is spiritually united with only her husband. In the beginning of the novella, the very intensity of her love for her husband reveals the tension in their relationship since she feels threatened by having anything at all between them, even a thought unknown to him. The opening lines of the novel suggest that she fears being away from him and traveling alone. She loves him intensely, but the first time she is really apart from him, the superficial web she has constructed of placing her identity solely in relationship to him rapidly begins to fall apart. However, she knows with certainty that her core self lies beneath this web. Throughout the novella she comes to realize this core self will always be for eternity and has always been for eternity united only to her beloved, far beyond the realm of words. Even though she is tormented by her past and is pulled down into the situation, the strength of her relationship with her husband proves that even this outward sexual relationship, a symbol of her past sexuality, no longer has power over her and cannot threaten her real relationship with her husband. The truth of their love, however, gave her the ability to confront her past and her act freed her to become secure in the certainty of their union.

The sex murderer G. appears at several key moments in the novella. At the beginning of the novella the two lovers' discussion focuses on the mentally ill sex murderer G. from a book they are reading as the subtext to their understanding of their own marital relationship. Claudine asks, "How does a man like that see himself, I wonder?" since she observes both the harm that he does to his victims and the joy it causes him: "He corrupts children, he lures young women into debauching themselves, and then he stands smiling and staring in fascination at the little scrap of eroticism that faintly flickers in him." She asks her husband whether G. realizes the wrong he is doing.

Her husband answers, “Perhaps one simply can’t raise that sort of question about such feelings.” Thinking of something specific that looms up for her, other than this character from a book, Claudine states, “what I think is that he believes his actions are good.” But the couple goes on to agree that surely “he must *know* he’s demoralising them, confusing their erotic urge, stirring it up so that it’ll never again have a single aim, a point of rest”—which is precisely the type of demons that Claudine will have to face later in the novella.¹⁵ Less than twenty-four hours later, when Claudine is psychologically tormented because of her past sexual life and tempted to commit adultery with a stranger against her husband, the narrator describes her confusion, “She was empty of thought. She did not know if she was doing wrong.”¹⁶ While G. is depicted as delusional, Claudine is depicted as having been unable to think clearly and deeply conflicted in her inner torment, especially as she finds herself acting against her own will. Musil removes the guilt from her.

While the couple recognizes the harm that G. inflicts upon his victims, at the same time, they also imagine him tenderly smiling over his victims and they explain his actions by his feelings of loneliness, common to every human.¹⁷ The narrator intimates, however, that the same solitude on which “the mystery of their union rested” explains the same desire of the sex murderer to escape his loneliness by trying to unite with others psychologically, spiritually, and physically. However, G. is compared to a “house with locked doors” since his fear and inability to actually unite with others leads to a grisly

¹⁵ Robert Musil, *Five Women*, trans. Eithne Wilkins and Ernst Kaiser (Boston: Verba Mundi, 1966), 125.

¹⁶ *Ibid.*, 171.

¹⁷ *Ibid.*, 125-26.

end for his “beloved victims,” whom he can only smile at through the “impenetrable windowpanes.”¹⁸ G. also is why Claudine, the wife, remembers the anxiety she felt when she had a thought unknown to her husband and why she confesses her insecurity over desiring to be perfectly united with her husband.¹⁹

A mention of G. also reappears at Claudine’s psychological point-of-no-return when she succumbs to the temptation of committing adultery against her own beloved husband: “Her thoughts strayed to the talk they had had before her journey, about the man G., that figure in a novel—the veil of words and the words never uttered...And remotely, mournfully, as a wind blows over rain-darkened fields, she began to think it would be a delight like quiet rain, like a sky over-arching a landscape, to be unfaithful—a mysterious, last, deathly delight.”²⁰

When Claudine surrenders her body to her tempter, it is likened to abandoning her body to sexual murder:

Perhaps all she wished now was to yield this body to her beloved, but the profound spiritual uncertainty with which it trembled somehow turned that impulse into desire for this stranger here with her. She faced the possibility that, even while she was being ravaged in her body, this body might still give her the sense of being herself, and she shuddered, as at a darkness, a void, into which she was being locked, at the body’s autonomy and its mysterious power to disregard all decisions of the mind. And a blissful bitterness tempted her to disown, to abandon this body, to feel it in its sensual forlornness dragged down by a stranger and as though slashed open with knives, filled to the brim with the helpless twitchings of horror, violence, and disgust—and yet to feel queerly, and as in ultimate truthfulness and constancy, its presence round this nothingness, this wavering, shapeless omnipresence, this certainty of sickness that was the soul—feeling it in spite of everything as in a dream the edges of the

¹⁸ Ibid., 126-27.

¹⁹ Ibid., 127-28.

²⁰ Ibid., 149.

wound are felt, striving in endlessly renewed, agonizing endeavour to close, each torn part vainly searching for the other.²¹

Musil juxtaposes and unites the themes of sex murder and connubial love by showing how the the sex murderer G. and the young married couple attempt to escape solitude either through sex murder, adultery with a stranger, or intimate, romantic union. As early as 1911, “The Perfecting of a Love” reveals Musil’s fascination with the mind of a sex murderer, Musil’s insight into the harm a sex murderer causes his victims, Musil’s attempt to understand psychological motivation behind human weakness and wrongdoing, and Musil’s redemptive use of the theme of sex murder. Musil uses the violent image of sex murder to show the violence against Claudine’s self into which she slides because of her past; however, he also shows that through her destructive experience she gains a true understanding of loving and being loved. Although she experiences her adultery as succumbing to a violent sex murder, she realizes before she commits adultery that there was something incommunicable that she shared with no one but her husband, who loved her, which she referred to as “inward communion.” She also realizes that “what she was about to abandon to this stranger, for him to ravage, was only the surface of her being.” In her climax at the end of the novella she realizes that even by giving up her body to the stranger, she belonged “only to the one beloved” and she “saw and knew the image of her love.”²² Even a negative experience could precipitate her healing. Through the contrast of the image of sex murder with romantic union, Claudine could understand the real object of her love.

²¹ Ibid., 165-66.

²² Ibid., 158, 177.

In 1913, Musil wrote an essay “Moral Fruitfulness” expressing his belief that pure egoism or altruism does not exist: “The libertine, the significant criminal, and the cold-blooded person are varieties of altruism too, just as Don Juanism has been recognized as a form of love.” He believed that not only could selfishness be found in altruism but altruism “could be found in every egoistic action.” He stated that he believed that good and evil were parallel, not opposites. He felt that it was more important to understand the “pressure that creates them or the distress on which they rest” rather than categorize good and evil. He believed that even a sex-murderer had good qualities.

Even a sex-murderer is, in some cranny of his soul, full of inner hurt and hidden appeals; somehow the world is wronging him like a child, and he does not have the capacity to express this any other way than the way he has found works for him. In the criminal there is both a vulnerability and a resistance against the world, and both are present in every person who has a powerful moral destiny. Before we destroy such a person—however despicable he may be—we ought to accept and preserve what was resistance in him and was degraded by his own vulnerability.²³

In Chapter Five I show how after World War I, Musil’s concern with both pairing and contrasting sexual murder and a union of love would form a central axis of his masterpiece, *The Man without Qualities*, published in the early 1930s. I argue that, in his novel set in pre-war Vienna, Musil uses sexual murder and love in order to represent the major problems of and solutions to what he saw as the crises of modernity—that is, the perceived breakdown of morality, identity, and gender relations. Musil’s response, however, represented a unique attempt to overcome the prevailing crisis of masculinity and ambivalence he himself felt toward women. His attempt to find a way to love the other, the sex-murderer, would also include an attempt to find a way to love woman.

²³ Robert Musil, “Moral Fruitfulness (1913)” in *Precision and Soul: Essays and Addresses*, ed. and trans. by Burton Pike and David S. Luft (Chicago: University of Chicago Press, 1990), 37-39.

Musil differs most from his German male artistic and literary contemporaries who also used sexual murder in their artwork—including Frank Wedekind, George Grosz, and Otto Dix—because of Musil’s ability to see this cultural crisis and attempt to rise above these difficulties, even if in the end he is not entirely successful. Musil also stood out from his Viennese fin de siècle intellectual contemporaries by attempting to provide a secular refurbished Romantic solution rather than a political solution.

Significance of Project

My project departs from previous studies by analyzing the ways in which criminals attempted to define themselves and their crimes and the ways in which these attempts shaped the criminal justice system.²⁴ My research builds on recent scholarship in the history of criminal justice that emphasizes the previously overlooked liberal side of the modern German criminal justice system in this period,²⁵ and that argues that there was no direct line between Imperial and Nazi Germany as regards exclusionary processes against criminals.²⁶ However, the study of Lustmord within the larger history of criminal justice reshapes the current narrative of German liberalism by showing how only certain kinds of individuals were able to shape the criminal justice system—including repeat sex

²⁴ As cultural historian Harry Oosterhuis re-examined Richard von Krafft-Ebing’s case studies in order to determine how his patients and informants contributed to Krafft-Ebing’s ideas and the emerging field of psychiatry, my research shows that criminals’ crimes, behavior, and personalities were able to influence criminology, criminalistics, and the larger criminal justice system. Harry Oosterhuis, *Stepchildren of Nature: Krafft-Ebing, Psychiatry, and the Making of Sexual Identity* (Chicago: University of Chicago Press, 2000).

²⁵ Wetzell, “Psychiatry and criminal justice,” 271. See also Benjamin Carter Hett, *Death in the Tiergarten: Murder and Criminal Justice in the Kaiser’s Berlin* (Cambridge: Harvard University Press, 2004), 19-20.

²⁶ See Richard F. Wetzell, *Inventing the Criminal: A History of German Criminology, 1880-1945* (Chapel Hill: University of North Carolina Press, 2000) and Daniel M. Vyleta, *Crime, News, and Jews: Vienna 1895-1914* (New York: Berghahn Books, 2007).

offenders—while the perspectives of those most affected by violent crimes were inadvertently excluded from the conversation. My research also broadens the history of Austrian sexuality by showing how a wider cultural crisis of identity made evident through the window of Lustmord explains the shift of attention from the criminal to the crime in not just the law and psychiatry, but also in criminalistics (modern forensics), art, society, and the press.²⁷ This specific historical context of fin de siècle Vienna also helps explain why Musil could so easily create a sympathetic account of the sex murderer, Moosbrugger, in Musil's attempt to love the other—that is, woman, and even the criminal—as well as why Musil used the theme of Lustmord to represent what he saw as the complete breakdown of identity after World War I.

The project utilizes many original sources and combines sources in new ways: it brings together literature on sexual murder, Musil, the history of criminal justice, the history of sexual violence, and newspaper and journal articles and court and police records from archives and libraries that I collected in Berlin, Vienna, Munich, Bochum, Warendorf, Münster, and Dresden. Additionally, other studies of Lustmord have primarily been carried out by scholars of German studies²⁸ rather than by historians.²⁹

²⁷ Scott Spector has observed the shift in attention from harmful acts to perverse identities in a pre-war Viennese case, in which determining the sexual identity of the male perpetrator was more important than the male child molestation of which he was accused. Spector also noted the role of mass media which made the private visible. However, Spector did not link his observation to the wider legal, criminological, and criminalistic (forensic), and journalistic context in pre-war Vienna which explains this shift. Attempts to define sexual identity were only one piece of the larger picture. See his article, "Where Personal Fate Turns to Public Affair: Homosexual Scandal and Social Order in Vienna, 1900-1910," *Austrian History Yearbook* 38 (2007): 15-24.

²⁸ Three recent dissertations from a German studies perspective include: Arne Höcker, "The Order of Crime: Epistemology and Aesthetics of Lustmord in Criminology and Literature Around 1900" (PhD diss., Johns Hopkins University, 2008); Jay Michael Layne, "Uncanny Collapse: Sexual Violence and Unsettled Rhetoric in German-Language *Lustmord* Representations, 1900-1933" (PhD diss., University of Michigan, 2008); and Casey John Servais, "Weimar Literature and the Jurisprudence of Crisis" (PhD diss., Cornell University, 2007).

Rather than treating Lustmord as an undifferentiated modern cultural phenomenon in Imperial and Weimar Germany, my historical periodization accounts for how and why the legal and cultural treatment of victims, survivors, and sex murderers changed over three discrete periods in modern Germany and Austria. The conscious integration of regional histories from Germany and Austria into a larger narrative of the history of Lustmord affords a broader view into dynamic intellectual exchanges among German and Austrian medical, legal, and criminological experts. The combination of intellectual, social, and cultural history and the interdisciplinary nature of the project grant a variety of perspectives to better understand how German-speaking Europeans understood, defined, and responded to Lustmord and responded to a wider cultural crisis of identity in the context of industrialization, urbanization, professionalization, and secularization. The time period from roughly the 1870s to the early 1930s allows me to trace the emergence of the category of sexual murder and responses to it in relation to the creation of modern, increasingly secular, industrial societies and states, the chaos of World War I, and the collapse of German and Austro-Hungarian empires.

A Brief Introduction to the History of Lustmord

On April 22, 1873, thirty-two-year-old Elisabeth Schütte left her widowed father's home in the Pöling farming community between 7 and 8 p.m. and set out toward her sister's house in Enniger in order to help out with work the next day. Schütte only made it five to ten minutes down the footpath that led from Vorhelm to Enniger before

²⁹ For book-length historical studies of sex murder in German history—which cover later periods, however—see Kerstin Brückweh, *Mordlust. Serienmorde, Gewalt und Emotionen im 20. Jahrhundert* (Historische Studien, Bd. 43, Campus Verlag: Frankfurt a.M./New York, 2006); Anne-Kathrin Kompisch, “Wüstling, Werwolf, Teufel. Medienbilder von Serienmördern in der deutschen Massenpresse, 1918-1945” (PhD diss., Universität Hamburg, 2008).

she was brutally raped and murdered. A crowd gathered after her body was found around 11 p.m. the next night, lying in the small Angel brook with her dress slit and tied up above her head. In addition to slitting her throat, the perpetrator had left stab wounds all over her body.

A wayside shrine of the Virgin Mary erected by Schütte's family still stands near the scene of the murder. Inscribed on the front side of its base are the words of the Apostle Paul from 2 Timothy 4:7-8: "I have fought the good fight, I have finished the race, I have kept the faith. Now there is in store for me the crown of righteousness." On the back side it reads: "To the memory of the *Sodalin* Elisabeth Schütte, born on the 10th of May 1841, on this spot brutally murdered in the fight for her virtue on the 22nd of April 1873." This quotation taken from Paul's last surviving letter before his execution also formed the opening lines of the sermon that was preached to the many people who gathered for Schütte's funeral on April 29, 1873, eight days after the murder. The priest Nonn felt the need to address why God had allowed such a crime and upheld Schütte as a model of faith for the community because of her attempt to fight for her virtue against a lustful perpetrator. Authorities assumed that because she was physically strong she must have resisted the perpetrator. They believed that the perpetrator must have scratches on his face or hands because of Schütte's presumed resistance. Indeed, this was the only evidence authorities had. The perpetrator was never identified and the main leader of the community refused to believe that it could have been someone from Enniger.³⁰

³⁰ See Urte Evert, "Fußspuren, Blut, und Samenflecken. Polizeiliche Ermittlungsarbeit am Beispiel eines Sexualmordes in Münsterland des späten 19. Jahrhunderts," *Westfälische Forschungen* 54 (2004): 177-209; Sandra Licher, ed. "Die Ermordung der Elisabeth Schütte zu Enniger betreffend" (Eigenverlag Sandra Licher, Osnabrück, 2010). www.sandralicher.de

Religious and legal authorities treated the brutal crime against Schütte, unprecedented in their small community, as a breach of a social code and upheld her sexual honor. The community mourned her death and honored her memory. The case is still a part of living memory among those residing in Enniger today because the case eventually led to the break up of the community. After suspecting other individuals, the community of Enniger eventually suspected thirty-three-year-old Jewish businessman Herz Spiegel to be the murderer. Legal authorities ultimately did not find grounds to put Spiegel on trial (and no one today believes Spiegel to have been the murderer), but within twenty years the community had violently pushed out all of the Jewish inhabitants from the village. They moved to the neighboring community of Ahlen.

Not far from Enniger and several years later, a series of eight sex murders and other attempted attacks of young girls and women occurred in the rapidly growing industrial area around Bochum from 1878 to 1882. The murders (which included strangulation, violation, and mutilation) shocked and horrified those living in Bochum and the surrounding communities. Local newspaper reports honored the memory of the victims and could not conceive of the perpetrator(s) as being anything other than a monster. The murders attracted attention from officials in Berlin, who sent the chief police detective Leopold von Meerscheidt-Hullessem to lead the investigation. After the discovery of the mutilated body of a fifth murder victim, a married midwife by the name of Becker, in the area of Bochum in 1880, authorities and newspaper articles began to refer to the series of murders as a series of “*Lustmorde*.” The word ‘Lustmord’ first spread through popular forms of expression in 1880 when newspapers from across Germany reported on this series of sex murders. Prussian officials from the Ministry of

Justice were able to persuade a formerly reluctant Kaiser Wilhelm I of the necessity of capital punishment on the basis of public opinion for the first time because of this ongoing series of murders. Authorities in Bochum identified Wilhelm Schiff as the perpetrator of three of the murders in April 1881 and he was beheaded in January 1882. However, much to the dismay of inhabitants from Bochum and the surrounding communities, the murders did not stop after Schiff's arrest and execution.

In both the Enniger and Bochum cases, almost all of the victims belonged to the lower classes and were respected girls or single women native to the area, who had been attacked while carrying out ordinary daily activities, such as working in a field or walking alone along a path to or from church. In both cases, local communities honored the memory of the victims, whether in a more rural locale such as Enniger or in a rapidly industrializing area such as Bochum. The treatment of victims in later cases of Lustmord was much different. In 1885, the words 'Lustmord' and 'Lustmörder' appeared in the German Dictionary of the Brothers Grimm as a result of this series of murders in Bochum.

In 1886, while Professor of Psychiatry and Neurology at the University of Graz in Austria-Hungary, Richard von Krafft-Ebing defined and classified 'Lustmord' as a scientific concept in *Psychopathia Sexualis*. His ground-breaking contribution to sexology underwent twelve editions from 1886 to 1903. After he became Professor of Psychiatry and Neurology at the University of Vienna, Krafft-Ebing created the category of "sadism" based on his previous observations about Lustmord and reclassified "Lustmord" as the first subcategory of sadism. Krafft-Ebing made his central observations about Lustmord before the case of Jack the Ripper—namely, that rape did

not necessarily need to take place in order for a murder motivated by lust to be considered Lustmord since perpetrators sought and experienced sexual gratification equivalent to coitus through sadistic violence. Krafft-Ebing also stipulated that if a rapist killed his victim in order to silence the witness of his crime, it should not be considered a true case of Lustmord.

Georg Ilberg, assistant medical director of an asylum in Saxony, would also become an authority on the subject, when his article “Über Lustmord und Lustmörder” was published in 1905. Ilberg’s work explains why psychiatric and legal experts did not automatically regard perpetrators of sadistic crimes as mentally ill and why they invested so much time, energy, and resources in evaluating the personality of the perpetrator in order to determine his mental soundness and ability to exercise his free will according to German legal statute § 51 StGB. While Krafft-Ebing’s work influenced Ilberg to some degree, Ilberg’s work in turn influenced much of Dresden public prosecutor Erich Wulffen’s understanding of Lustmord, published in *Der Sexualverbrecher. Ein Handbuch für Juristen, Verwaltungsbeamte und Ärzte* in 1910. Wulffen believed, however, that the crime of Lustmord should be treated as manslaughter under German law rather than murder. Although Krafft-Ebing, Ilberg, and Wulffen attempted to make clear medical and legal distinctions for identifying whether a sex crime was in fact a true case of Lustmord and how the law should treat crimes of Lustmord, there was still much uncertainty and debate among experts. More importantly, the overall focus on criminals and their crimes by Krafft-Ebing, Ilberg, and Wulffen directed attention away from the victims of violent sex crimes, as would be the case in other criminological studies of violent sex crimes.

Krafft-Ebing's successor at the University of Vienna, Dr. Julius Wagner von Jauregg, would testify in 1911 in the famous trial of a Bavarian sex murderer Christian Voigt. Musil based the characters of the sex murderer Christian Moosbrugger and the low-ranking prostitute, Hedwig, whom he murders, on Christian Voigt and his murder of Josefine Peer, an unemployed domestic servant and occasional prostitute in Vienna in 1910. The historical context of Voigt's trial for his murder of Peer accounts for why Musil was able to portray Moosbrugger so sympathetically in *The Man without Qualities*. The trial is an example of a case of diminished responsibility in pre-war Vienna before the law provided for it, but after legal experts had already recognized the need for it. Voigt's decision not to plead momentary insanity figures as an unusual trial in pre-war Vienna and while Voigt attempted to argue that his stabbing of Peer should be considered manslaughter, psychiatric and legal experts and the jury regarded it as Lustmord, i.e., murder.

The early-Weimar case of Carl Grossmann in post-war Berlin in 1921-1922 forms an important contrast to a case of sex murder in Berlin in 1904 that was handled much differently because it was before the social, economic, and political devastation caused by the war. Legal attitudes stiffened in the face of later serial murderers such as Fritz Haarmann, Karl Denke, and Peter Kürten, "the monsters of Weimar," whose crimes were often regarded as symbols of political, economic, and social crisis. The magnitude and bestiality of their crimes resulted in their subsequent execution. Moreover, Kürten's crimes and the sensational coverage of his trial effectively prevented the abolishment of capital punishment in 1931.

Chapter 1: ‘Lustmord’ Coined: Newspaper Reports of Serial Sex Murder in Bochum (1878-1885)

Introduction

Five years after the rape and murder of Elisabeth Schütte, approximately fifty miles southwest of Enniger, a series of eight murders and sexual assaults of women and girls—in addition to other attempted murders and assaults—took place in several communities within a five-mile radius of Bochum from 1878 to 1882.³¹ The names of the eight victims and dates they were murdered are listed below:

- 1) Josephine Kost (d. December 30, 1878)
- 2) Elisabeth Riemenschneider (d. July 5, 1879)
- 3) Lisette Schülken (d. August 5, 1879)
- 4) Wilhelmine Pott (d. July 30, 1880)
- 5) The midwife Becker (d. November 1, 1880)
- 6) Christine Hämelmann (d. between April 1881 and January 1882)
- 7) Friederike Ostermann (d. April 10, 1882)
- 8) Elisabeth Gantenberg (d. May 21, 1882)

From the very beginning, newspaper reports linked the individual murders in and around Bochum to each other because of similarities in each of the initial cases—that is, strangulation and sexual violation. The local newspaper serving Bochum’s city and county districts, the *Märkischer Sprecher*, described the first four victims of *Mädchenmord* as local, respected girls or single young women, who were suddenly

³¹ This chapter on the Bochum murders will be further developed once I obtain the remaining set of archival documents that are currently in restoration at the Landesarchiv Nordrhein-Westfalen Abteilung Westfalen (LAV NRW W). I first learned about the existence of this case from Urte Evert’s “Fußspuren, Blut, und Samenflecken. Polizeiliche Ermittlungsarbeit am Beispiel eines Sexualmordes in Münsterland des späten 19. Jahrhunderts,” *Westfälische Forschungen* 54 (2004): 177-209. In her study of police investigation in Münsterland at the end of the nineteenth century, she focuses mainly on the Enniger case, but uses the police investigation of the Bochum murders as a comparison. However, she did not connect the Bochum murders to the Grimm definition of ‘Lustmord,’ utilize local newspapers or sources from Berlin, or connect this regional history to a larger history of Lustmord.

attacked and strangled while working alone in the field or walking along a path. The newspaper accounts honored the memory of the victims by implicitly recognizing their innocence and by describing the clergymen's reverent sermons at their well-attended funerals. In contrast, the newspaper reports characterized the perpetrator involved as a monster, whose reprehensible crimes could only be understood as the work of a lecher. The newspaper reports also expressed anger at the guilty party going uncaught and the inefficacy of human justice, but trusted that the perpetrator(s) would not escape divine justice.

These disturbing events attracted attention not only from those living in Bochum and the surrounding communities, but also from the imperial capital. The Berlin criminal police dispatched the infamous Criminal-Inspector (*Kriminalkommissar*) Leopold von Meerscheidt-Hüllessem³² to Westphalia to lead the investigation after the fourth murder. But it was not until the discovery of the mutilated body of the fifth murder victim in the fall of 1880—when the perpetrator actually lured a middle-aged married midwife from her house under the pretense of obtaining her assistance with a childbirth—that newspapers first used the term '*Lustmord*' to refer to this series of murders. Five and a half months later in April 1881, authorities in Bochum arrested the forty-three-year-old broom-maker Wilhelm Schiff from Weitmar for the murder of the second victim,

³² Meerscheidt-Hüllessem is better known for his undercover investigation at Marpingen in the 1870s, surveillance of socialist activities in the 1880s, his collection of photographs of criminals that developed into the Criminal Album (*Verbrecheralbum*), his compilation of a confidential index of suspected homosexuals, Alexanderplatz's adoption of the *Bertillonage* system in the 1890s, and Alexanderplatz's establishment of murder commissions in 1901. His subordinate, Hans von Tresckow, described Meerscheidt-Hüllessem's character as being similar to that of an intriguer. Benjamin Carter Hett, *Death in the Tiergarten: Murder and Criminal Justice in the Kaiser's Berlin* (Cambridge: Harvard University Press, 2004), 62, 173-75, and 177-78. See also David Blackbourn, "Apparitions of the Virgin Mary in Bismarckian Germany" in *Society, Culture, and the State in Germany 1870-1930*, ed. Geoff Eley (Ann Arbor: University of Michigan Press, 1996), 213.

Elisabeth Riemenschneider. Authorities convicted Schiff in October 1881 in Essen for committing three of the five murders and beheaded him on January 11, 1882.

After a ten- to fifteen-year hiatus of capital punishment, capital punishment had been firmly re-established in most parts of Germany by 1885. In the case of Prussia, Justice Ministry officials in Berlin were able to persuade a very reluctant Kaiser Wilhelm I to sign the death warrants of murderers for the first time on the grounds of “public interest” because of this ongoing series of crimes occurring in the Prussian province of Westphalia. (Previous decisions of clemency in Prussia were granted on grounds such as the offender’s youth, ‘genuine remorse,’ ‘penitent confession,’ ‘insufficient spiritual education,’ ‘poverty,’ desperate plight,’ or ‘reference to clemency granted in earlier cases of similar severity’). These Prussian Justice Ministry officials’ attempts were successful not only because of local alarm and outrage in Bochum but also because of growing fears in Berlin that the rapidly industrializing area of the Ruhr presented a threat to the social, political, and moral order of the German Empire. Additionally, after this series of crimes in Westphalia had taken place, officials could successfully persuade Wilhelm I to deny clemency based not only on the interest of the public, but also by emphasizing the “bestial” method employed by murderers, rather than their motive (as they had done previously).³³

When three additional murders took place in the Bochum area after Schiff’s arrest and execution—all of which were committed against girls on their way to and from

³³ Richard J. Evans, *Rituals of Retribution: Capital Punishment in Germany, 1600-1987* (Oxford: Oxford University Press, 1996), 362-66. Evans briefly cites this series of sex murders in order to note their impact on the history of capital punishment in Germany. His analysis gives a useful perspective from the side of Berlin about these crimes in Westphalia, but he did not connect them to the Grimm’s definition of ‘Lustmord’ or primary source material originating out of Westphalia. See also GStA Berlin Rep. 84a/8145, Bl. 234-9, as cited by Evans.

church—the *Märkischer Sprecher* reported that many questioned if the authorities had actually captured the right person. The *Märkischer Sprecher* believed that Schiff had been guilty of the murders and that there must be more than one perpetrator, but it reported the public’s astonishment at the possibility that there could be “more than one monster (*Scheusal*) of the same kind,” who would commit such unspeakable crimes.³⁴ After the last two murders of Friederike Ostermann and Elisabeth Gantenberg occurred in the spring of 1882, a publisher from Hanover published some of the latest news about the recent series of Lustmord in Bochum, including a contemporary folk song, “Lied zur Geschichte,” which centered on avenging the brutal murders in Westphalia by finding and executing the murderer. The publisher claimed to always publish only quality versions of the newest folk songs describing current events, unlike his competition in Berlin and other places.³⁵

After these eight murders in Bochum took place from 1878 to 1882, the two entries ‘*Lustmord*’ and ‘*Lustmörder*’ first appeared in the 1885 edition of the *Deutsches Wörterbuch* of Jacob and Wilhelm Grimm. The dictionary defined ‘*Lustmord*’ as “murder out of lust (*Wollust*), after the act of rape” and stated that this word “first recently appeared because of a fifth Lustmord committed in Altenbochum,” citing a newspaper article from the *Leipziger Tageblatt und Anzeiger* from November 5, 1880. The *Leipziger* article contained the news received from Bochum about the discovery of the body of Bochum’s fifth victim of “Lustmord,” the married midwife Becker, the violent wounds inflicted on her body, and the widespread feelings of indignation and fear

³⁴ *Märkischer Sprecher* (MS), April 20, 1882.

³⁵ Wolfgang Braungart, ed., “Zwei neue Mordthaten aus der Gegend von Bochum” in *Bänkelsang: Texte, Bilder, Kommentar* (Stuttgart: Phillip Reclam Jun., 1985), 232-34.

prompted by the nature of the crimes, committed by an unidentified criminal who repeatedly eluded capture. Under the entry of ‘*Lustmörder*,’ the dictionary cited another newspaper article, this time, from the *Berliner Tageblatt* from April 13, 1881, which had reported the latest news from a special edition of the *Herner Zeitung*—that is, the successful arrest of Schiff under Berlin’s chief criminal police detective Meerscheidt-Hüllessem, who had been sent to Westphalia to investigate “the so-called ‘*Lustmörder*.’”³⁶ In short, as early as 1880, ‘Lustmord’ first appeared in popular forms of expression when newspapers not only within the city and county of Bochum, but also well outside of the province of Westphalia used the word to describe the series of murders in Bochum.

Newspaper Reports of Eight Murders and Other Attempted Assaults

The *Märkischer Sprecher* reported in the first days of January 1879 that eighteen-year-old Josephine Kost from Grumme had been found around noon on December 30, 1878 on an embankment on the way to Bochum, strangled with a leather strap. The newspaper assumed that in all probability a sexual violation (*unsittliches Attentat*) had also taken place, since the possessions that Kost had had on her were not stolen, but rather were found destroyed nearby on the ground. A few days before, in the community of Harpen, a similar attempted rape (*Nothzuchtversuch*) had been committed against a young girl. A girl from Kirchharpen reported to the police that eight days before a man

³⁶ Friedemann Pfäfflin first noted when Lustmord entered the Brothers Grimm German Dictionary, but scholars have not previously connected this observation to the murders in the Bochum area. Friedemann Pfäfflin, “Zur Lust am Lustmord,” *Nervenarzt* 53 (1982): 548. *Das Deutsche Wörterbuch von Jacob und Wilhelm Grimm*, s.v.v. “Lustmord,” “Lustmörder,” <http://www.dwb.uni-trier.de/>; *Leipziger Tageblatt und Anzeiger (LTA)*, November 5, 1880, third supplement; *Berliner Tageblatt*, first insert, April 13, 1881, 4.

had attempted to strangle her with a strap of the same make, but, fortunately, she managed to slide one of her arms between the strap and her throat, and screamed loudly, whereupon the man fled. A local constable also reported that in the past fourteen days, there had been three other attempted assaults (*Attentate*), but they were not “successful” because of the persistent resistance of the girls.

The *Märkischer Sprecher* also informed its readers that not only the local police, but also neighboring police authorities were looking for Kost’s murderer. The newspaper described other details of possible suspects so that the public might notify the police if they knew of any other clues, but reported that three persons, fitting the personal description given by the girl from Harpen, had already been arrested. Curiously, the newspaper explained that, “As is well-known, after a murder, the image of the murderer remains on the retina of the eyes of a [murdered] person for a while” and that “a photo had been taken for this reason, but since it was taken twenty-four hours after the murder occurred, it did not provide any clues.”³⁷ (Apparently this modern method “had met with success in similar cases in France and the United States,” according to residents hoping to aid investigating authorities).³⁸ A couple of days later, the newspaper also reported that a large number of Grumme’s residents came to the funeral and Kost was buried under the association of unmarried sisters (*Jungfrauenbund*) and the clergy (*Geistlichkeit*). The newspaper confidently assured its readers that “the search for the murderer would continue with the greatest zeal.”³⁹

³⁷ *MS*, January 3 and January 4, 1879.

³⁸ Urte Evert, “Fußspuren, Blut, und Samenflecken. Polizeiliche Ermittlungsarbeit am Beispiel eines Sexualmordes in Münsterland des späten 19. Jahrhunderts,” *Westfälische Forschungen* 54 (2004): 193.

³⁹ *MS*, January 5, 1879.



Figure 1.1. Map of present day Bochum, Germany and surrounding communities.

Source: Google Maps, accessed July 31, 2011,
<http://maps.google.com/maps?q=bochum+germany&ll=51.495706,7.211494&spn=0.153468,0.406494&gl=us&z=12>.

The *Märkischer Sprecher* reported that the fourteen-year-old maidservant Elisabeth Riemenschneider from Querenburg was found on July 5, 1879 similar to that of Kost, strangled with her own towel, and lying in a bush not far from the pasture where

she herded cattle. She had gone out at 7:30 a.m. and when she was found at 10 a.m., her body was “already cold.” Since a suspect had already been arrested, the newspaper now added the fervent wish that, “this time, the heinous criminal would not succeed in twisting the arm of the worldly judge.”⁴⁰

On August 5, 1879, another servant girl, Lisette Schülken whose employer in Giesenberg had sent her out mid-morning to bundle rye, was reported missing by another maidservant when she went to look for Schülken, who had not returned in the afternoon. The *Märkischer Sprecher* reported that the employer Bergmann and his son went in search of Schülken and found “a heartbreaking sight” in that she had been murdered by the “hand of a lecher” as the previous two victims from Querenburg and Grumme had been. Mr. Bergmann spoke of the victim as “a brave, well-behaved child,” who worked hard, the woes of her parents who were still living, and “the monster (*Ungethüme*) in human form” who was “capable of the bloody deed.” The newspaper expressed the hope that the autopsy would help establish the identity of the perpetrator, but it also expressed hesitation about whether one could really say that the guilty person was among the three suspects from Castrop who had already been arrested.⁴¹

The *Märkischer Sprecher* added a fourth victim to the list when the corpse of nineteen-year-old Wilhelmine Pott from Eickel was found in a small wooded area in Herner Mark on the afternoon of July 30, 1880. The newspaper stated that the way her body was found meant that “the child died without a doubt under the murderous hand of a brutish lecher.” The newspaper described Pott as “a brave, blooming girl,” who worked

⁴⁰ Ibid., July 8, 1879.

⁴¹ Ibid., August 8, 1879.

for the farmer Koppenberg in Herne. She had been sent out “fresh and healthy” to the field to bring two reapers coffee and then to bundle rye. When she did not return, the employer and his son went out in search of her and found her body nearby the field, where she was supposed to be working. The newspaper reported that Pott’s “half-uncovered body lay lifeless on the ground with the fatal cord tied tight around the throat, and again no trace of the murderer!” and that “It appears that the murderer first strangled his victim in the field, and then dragged her into the bush, and here finished his horrifying work.” The newspaper account did not venture to say that the perpetrator would be caught for sure, only that everything possible would be done to facilitate that outcome: “Whether the police will succeed in exposing the criminal, after our previous experiences, we dare not give a judgment, but we are convinced that everything will happen to make this possible.” The newspaper believed that even if the perpetrator escaped judgment before the law, he could not flee from the spiritual consequences of his deeds: “Should the despicable murderer see these lines, may he consider that he will no longer find peace and quiet here in this world. Wherever he turns, the shadow of the murdered child will pursue hard on his heels—whose eyes were even put out—and some day she will accuse him before the judgment seat of the Almighty God!” Some days later the *Märkischer Sprecher* reported that a royal office of public prosecution would be established and that all of the attempted assaults (*unsittlichen Attentate*) would not be under the jurisdiction of a local, district court, but the entire administrative district (*Landkreis*) of Bochum.⁴²

The city police under Mayor Bollmann placed a large notice in the *Märkischer Sprecher* on November 6, 1880 in order to report the latest crime and to offer a large

⁴² Ibid., August 1 and August 10, 1880.

reward for the discovery of the murderer. The notice began by stating that, “the perpetrators of the *Lustmorde* that occurred during the past two years in the district of Bochum still have gone undiscovered and already again we must experience a new crime of the same kind.” The notice reported that on the first of November, the mutilated corpse of Bochum’s fifth murder victim had been found in a deserted hollow way in the Feldmark from Altenbochum. This time, however, an unidentified man had led the victim, the midwife Mrs. Becker, away from her home on Wittenerstraße 100 early in the morning under an alleged request for her assistance with a delivery. The notice expressed the urgent desire that “the security of their area would finally be restored” and urged every person “to think of his own female relatives to whom something similar could happen every day, if such monsters (*Scheusale*) were not soon discovered and their ability to harm others was not put to an end.” Authorities wished that any information about the crime should be reported as quickly as possible to the Bochum city and county police or the local royal office of public prosecution under the royal chief detective Hüllessem.⁴³ (See figure 1.2). Authorities hoped that the “unusually high reward of 5000 Marks,” to which those living in Bochum and Altenbochum wished to contribute, would lead to the discovery of Becker’s murderer.⁴⁴

⁴³ Ibid., November 6, 1880.

⁴⁴ Ibid., November 9, 1880.

Zur Beachtung. Mord in Altenbochum.

Noch sind die Thäter der im Kreise Bochum während der letzten 2 Jahre vorgekommenen Lustmorde unentdeckt, und schon wieder haben wir ein neues Verbrechen derselben Art erleben müssen. Am 1. November d. J. wurde die verstümmelte Leiche der Hebamme Ehefrau Becker, welche an demselben Morgen nach 6 Uhr durch einen Unbekannten aus ihrer Wohnung, Wittenerstraße Nr. 100 hieselbst, angeblich zu einer Entbindung abgerufen war, an einem einsamen Hohlwege in der Feldmark von Altenbochum aufgefunden, ohne daß es bisher gelungen ist, den Mörder zu entdecken.

Wenngleich seitens der Behörden alle Maßregeln getroffen sind, um die Spuren des scheußlichen Verbrechens zu verfolgen, so liegt doch nach den Erfahrungen der früheren Fälle die Befürchtung nahe, daß auch der jetzige Missethäter unentdeckt bleibt, sofern nicht auf frischer That Alles zur Kenntniß der Behörden gebracht wird, was für die Sache von irgendwelcher Bedeutung sein kann.

Deshalb wenden wir uns hiermit an den Bürgersinn aller rechtschaffenen Einwohner von Stadt und Land mit der dringenden Bitte, die Behörde bei den eingeleiteten Recherchen dadurch unterstützen zu wollen, daß jeder Umstand (möge derselbe auch noch so unerheblich erscheinen), welcher in irgend einem Zusammenhange mit dem Morde der Frau Becker stehen könnte, schleunigst an geeigneter Stelle mitgeteilt wird. Nur auf solche Weise, wenn ein Jeder es sich zur Aufgabe stellt, nach Kräften mitzuwirken, kann es gelingen, den Uebelthäter seiner gerechten Strafe zu überliefern und hierdurch endlich den Sicherheitszustand unserer Gegend, welcher so sehr gefährdet ist, wiederherzustellen. Denke ein Jeder daran, daß seinen eigenen weiblichen Angehörigen täglich etwas Ähnliches geschehen kann, sofern solche Scheusale nicht bald entdeckt und unschädlich gemacht werden.

Alle Polizeibeamten im Stadt- und Landkreise Bochum haben strenge Weisung erhalten, etwaige Mittheilungen zur Sache vom Publicum entgegenzunehmen und sofort weiter zu befördern, ohne daß dem Anzeigenden dadurch Weitläufigkeiten entstehen. Auch können Anzeigen direct in den Bureau der hiesigen Königlich Staats-Anwaltschaft, des Königlich Criminal-Commissars Herrn v. Hülse (Friedrichsstraße Nr. 5 hieselbst), sowie der unterzeichneten Behörde gemacht werden.

Indem wir bemerken, daß binnen Kurzem eine hohe Prämie auf die Entdeckung des Mörders der Frau Becker ausgesetzt werden wird, haben wir das Vertrauen zu dem Gemeinsinn aller rechtschaffenen Bürger, daß sie die Behörden bei den Ermittlungen nach Kräften unterstützen und dazu beitragen werden, den üblen Ruf des Kreises Bochum bald zu beseitigen.

Bochum, den 4. November 1880.

Die Stadt-Polizei-Verwaltung.
Böhlmann,
Oberbürgermeister.

Figure 1.2. Announcement of a large reward for the discovery of the murderer of the midwife Mrs. Becker, the fifth victim in a series of “Lustmorde” that had continued to go undiscovered.

Source: *Märkischer Sprecher*, November 6, 1880.

The *Leipziger Tageblatt und Anzeiger* article from November 5, 1880—which the Brothers Grimm German Dictionary would later reference—had reported a few additional details about the latest news that had been received from Bochum about the discovery of the “fifth Lustmord.” When a Polish worker had first discovered Becker’s body on a secluded path between a village and the mine “Prinz von Preußen” while

escorting his female relatives, he ran to notify Wintermann, the administrative head (*Vorsteher*) in Altenbochum. The body had shown marks of strangling and gashes on the throat and face, and the artery of the right hand had been cut through. The newspaper article also reported that “the excitement in the city and the surrounding area can not be described: the police, court, and public authorities are in full operation; the whole world is indignant and frightened over these horrible and perpetually unsolved crimes; and no one among the public hardly dares still to hope that a perpetrator would be discovered.”⁴⁵

Some days later after authorities placed the formal notice in the newspaper, the *Märkischer Sprecher* provided a very long and detailed description of the events that preceded the crime. A man had come to Becker’s door and was let in by Becker’s nine-year-old daughter. Becker left the house with him at 6:30 a.m., allegedly in the direction of a family’s house near the mine “Prinz von Preußen.” They were later seen walking by a couple of women, but the man’s umbrella covered his face. Authorities estimated that the attack on Becker lasted eighteen minutes and by 7 a.m. the perpetrator had slipped away and took the instruments with him that he had used to mutilate Becker’s body. The physical description of a man in his thirties was similar to that given by another woman who was attacked one afternoon about a week before. An unmarried woman, Emma Tönshoff from Hordel, was on her way to Bochum in Dahlhauser Busch when a man attacked her by trying to strangle her with a string (whose strength was compared to that of a sugarloaf string) and threatened her with a knife. The approach of a miner, who did not pursue the perpetrator, hindered the assault. Authorities thought that it was possible that it was the same person in both cases and that the perpetrator could reside in their city. The newspaper worked with the authorities, stating: “Everyone has the sacred duty to

⁴⁵ *LTA*, November 5, 1880, third supplement.

help discover this monster (*Scheusal*)” and that anyone who might have seen the man should report his or her knowledge to any police officer or the bureau of the royal office of public prosecution under the chief detective Hüllessem. Authorities wished that local residents would share any knowledge they had with authorities, rather than in public bars with each other and thereby risk fatefully giving advance warning to the perpetrator.⁴⁶

The next day, after reporting the long description of events, the *Märkischer Sprecher* wanted to dispel any false assumptions about the social background of the perpetrator since “many mistakenly believed that the perpetrator belonged to the lower classes.” Instead the newspaper claimed, “Many times experience has taught that a sexual crime (*Sittlichkeitsfrevel*) is primarily committed by those of the highly educated and well-situated classes.” For this reason, the newspaper reiterated that “we would like all of the inhabitants of our city and its surroundings to carefully consider if the description of the murderer from the day before fit the appearance of any of their acquaintances or if they knew of any man who had left his home in the early hours on All Saint’s Day.”⁴⁷

The *Westfälischer Merkur* also reported that after news of Becker’s murder spread, many had gathered at a Catholic church. Since the church was overflowing, hundreds of people of all ages stood outside the church in the wind, rain, and cold for an hour, including poor miners and factory workers. Not only did the shocking news of the abduction, strangulation, and mutilation of the midwife Mrs. Becker, a central figure in Bochum and the surrounding area, occasion the mourning of an entire community, but it

⁴⁶ MS, November 12, 1880.

⁴⁷ Ibid., November 13, 1880.

also spurred the identification of these murders as a new category of crime—

‘*Lustmord*.’⁴⁸

The *Märkischer Sprecher* reported on April 14, 1881, that the *Kölnische Zeitung* reported from Essen that the authorities arrested Wilhelm Schiff and another man, who had acted as Schiff’s accomplice. As one overtook the victim, the other stood watch. Although authorities arrested the two for the murder of Riemenschneider, it was thought that further investigation might show their connection to more of the murders.⁴⁹ The *Westfälischer Merkur* and the *Leipziger Tageblatt und Anzeiger* also reported that Schiff had been convicted of previous sex crimes, for which he had been punished with three years in Bochum’s local district court prison. Both newspapers drew on the same report of the *Kölnische Zeitung* when explaining that the fact that Schiff had an accomplice was the only possible explanation for how the last murder could have occurred, given that the entire city and county of Bochum was under the surveillance of the police and gendarmerie of all of the government districts from the area. The two newspapers also listed the names of the five murder victims and the dates on which they had been murdered.⁵⁰ Authorities eventually convicted Schiff for the murders and rape (*Mädchenmord* and *Notzucht*) of Riemenschneider, Schülken, and Pott, but Schiff’s arrest and subsequent execution did not bring an end to the violent murders, as many had hoped. After Schiff’s arrest, the sixth victim, eleven-year-old Christine Hämelmann, was on her

⁴⁸ *Westfälischer Merkur (WM)*, November 2, 1880.

⁴⁹ *MS*, April 14, 1881.

⁵⁰ *WM*, April 14 and April 15, 1881; *LTA*, April 15, 1881, first supplement, and April 18, 1881.

way home from a church fair when she was attacked. She was found “torn limb from limb in a horrible way.”⁵¹

The *Märkischer Sprecher* reported that “a ghastly customer passes through our city this morning.” The day before, on Easter Monday, Friederike Ostermann, a sixteen-year-old maidservant of a farmer, did not return home after going to church, and was found strangled that afternoon in the Schulte-Nölle’schen forest in Herner Mark, between Herne and the village of Hiltrop. She had been overtaken and murdered earlier that morning at 7:30 a.m. The newspaper reported that from the description of the way that the body was found, the crime could only be “a new so-called Lustmord.” The newspaper commented that “with the seventh Lustmord in three years, one asks oneself in vain each time anew the reason for this frightful epidemic.” The newspaper contrasted the presumed joyful mood of the young girl on that early Easter morning, since she could finally enjoy her pleasures after a long period of fasting, with the circumstances of her tragic end. The newspaper reported that the investigation found it better to keep the other details hidden from the public. The local office of public prosecution offered a reward of 500 marks.⁵² The attendance at the funeral was extremely large and the pastor Balster from Castrop gave “a moving speech that left a deep impression.” The newspaper also said that many newspapers had falsely reported that there had been a note left at the crime scene claiming that ten more Lustmorde would follow, but that this rumor had been made completely out of thin air.⁵³

⁵¹ Braungart, “Zwei neue Mordthaten,” 230-31.

⁵² *MS*, April 11 and April 12, 1882. See also the *Münsterischer Anzeiger*, April 13, 1882 and the *LTA*, April 14, 1882, first supplement.

⁵³ *MS*, April 15, 1882.

Some days later, the newspaper reported that “the excitement in the area could not be described.” The calm wrought by the arrest and execution of Schiff had not lasted very long since the murders had not come to an end. The newspaper claimed that “no female person living in the region now dared to go out of the house without male protection” and female visitors from outside the area also requested to be accompanied. Since everyone was on the lookout for someone who fit the description of Ostermann’s perpetrator, a man resembling this description was soon arrested after he sat down at a local inn. The newspaper did not claim to know whether the man was guilty or not, but only that it was the second person arrested in association with the murders. The newspaper averred that it was “our most fervent wish” that the police would soon finally have success and “put the monster into the hands of the executioner in order to make our area calm and secure.” While some wondered that there could be more than one such perpetrator, the newspaper believed that Schiff was not the only monster and that another beastly perpetrator wandered about not yet identified.⁵⁴

⁵⁴ Ibid., April 20, 1882.



Figure 1.3. A drawing of the way the body of Friederike Ostermann was found by the investigating authorities from April 11, 1882.

Source: LAV NRW W Staatsanwaltschaft Bochum 4, 14.

One Sunday morning on May 21, 1882, over a month after Ostermann's death, Elisabeth Gantenberg, a maidservant from Dahlhausen who worked in Havkenscheid, became Bochum's eighth murder victim when she was attacked on her way to a church in Bochum, by way of Altenbochum. The *Märkischer Sprecher* reported that Gantenberg's mother and employer eventually realized that Gantenberg was missing and when Gantenberg's collar and a piece of her shirt turned up, the police and gendarmerie looked all over the fields for her body. They eventually found her body the following Friday evening with her hands tied behind her back in "a bestial way," not far from where Becker had been found. The newspaper described how each new murder since Schiff's execution increased "the feelings of abhorrence and horror in the populace, but also the insecurity, so that hardly any female person went out in the daylight in the city

unaccompanied.” The newspaper expressed the desire that “the diabolical criminal would be discovered and brought to justice.” A couple of days later the *Märkischer Sprecher* reported the physical details of the suspect for all to keep a vigil watch. The newspaper described the public mourning of Gantenberg’s death, as it was reported from Dahlhausen: a large number of people attended Gantenberg’s funeral early in the morning at the Catholic graveyard in Linden. The priest Baester gave a long funeral speech before the open grave, deviating from the usual custom, and a ceremonial requiem mass with an overflowing church concluded the moving rites.⁵⁵

After the deaths of Ostermann and Gantenberg, a publisher from Hanover by the name of Fr. Rodewald sold copies of a publication for ten pfennigs announcing the latest news about the investigation in Bochum with the headline, “Two new murders in the Bochum area committed in April 10 of this year on the sixteen-year-old servant girl Ostermann from Hiltrop, and in May 21 of this year on the servant girl Gantenberg from Dahlhausen.” The publication reported how scarcely three months had passed since the execution of the Lustmörder Schiff—whose death served as “temporal expiation” for three of the six “abominable murders”—when two more took place. The publication pointed out that not only had Ostermann been on her way to church that early Sunday morning, but also that her body was found not far from the scene of Pott’s murder. Pott’s prayer book had also been found on the path next to where her body had been dragged into the bush, after she had been overtaken in the field. The publication reported that after this murder “one speaks only of this new deed and probably a thousand times the wish is uttered that punitive justice would finally succeed in cleaning the area of these

⁵⁵ Ibid., May 30 and June 1, 1882.

beasts” and that the Ministry of Justice also sent more police agents from the criminal police in Berlin. The publication reported, however, that despite these efforts, the series of Lustmorde continued unabated—as yet another was able to occur, also unsolved. The publication further noted that Gantenberg had also been attacked on her way to church and that her body was found near where Becker had been murdered. However, in Gantenberg’s case, “Instead of a hemp cord, only a knife was used this time,” but “as the people from the area reported, her head had been wholly separated from her body” and “traces of other disgraceful crimes were visible.”⁵⁶

The publication also reported on the current state of events in Westphalia. Because of the difficulties involved, it was doubtful whether authorities would successfully capture the murderer. As the newspaper had, the publication also reported that almost no females would risk walking through a field without being accompanied by a male escort. The publication also claimed that the perpetrators’ attempts to escape legal and public judgment in this world because of their lack of the fear of God could explain the murders after the sexual assaults, and that this understandably would be upsetting to those living in the area of Bochum: “The population had true cause to be upset because despite all of the sanctimony, many no longer feared the punishing hand of God, preferring to escape a worldly judge and public shame in order to add to the lesser crimes the greater one of murder in order to silence their victims.” The publication also claimed to understand the *modus operandi* of the perpetrator by stating that, “Generally, the lecher (*Wüstling*) chooses the weak or sickly person as a victim” such as the eleven-year-old Hämelmann. The publication reported other attacks that had since occurred and that despite the fact that authorities arrested several suspicious individuals, all had been

⁵⁶ Braungart, “Zwei neue Mordthaten,” 228-29.

subsequently released. In one case, the authorities had discovered and confiscated “finely made hemp cords, two leather straps, and two knives” from one man, but even though the man could only give evasive answers for what he did with the hemp cords, he was released and thereafter wandered about the area as a vagabond.⁵⁷

The folk song at the end of the publication, “Lied zur Geschichte,” clamored for the murderer to be tracked down so that his blood could “spring high” under the executioner’s ax in order that those residing in Westphalia would finally be avenged. The song declared that a person who could leave a virgin on her way to the “house of God” “dishonored” and “murdered” with her “flesh torn to pieces” was lower than an animal and should be “banished” from humankind and should never be allowed “peace or rest.” The song also demanded that the crimes the murderer perpetrated against others would happen to him since his mind conceived thoughts only of “lust” and “murder.”⁵⁸ (See figure 1.5).

⁵⁷ Ibid., 230-31.

⁵⁸ Ibid., 232-34.

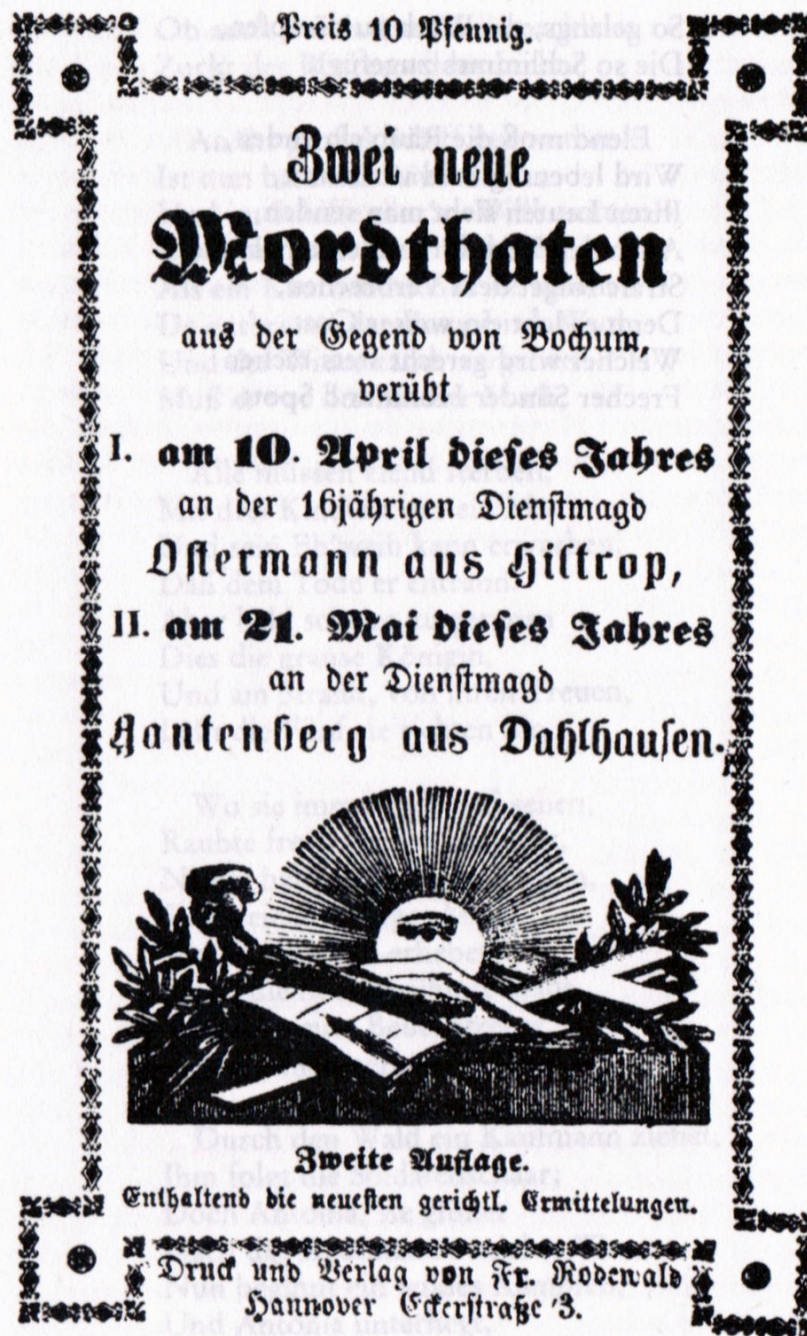


Figure 1.4. Front cover of an 1882 publication from Hanover announcing the latest news about the investigation in Bochum, “Two new murders in the Bochum area committed in April 10 of this year on the sixteen-year-old servant girl Ostermann from Hiltrop, and in May 21 of this year on the servant girl Gantenberg from Dahlhausen.”

Source: Wolfgang Braungart, ed., “Zwei neue Mordthaten aus der Gegend von Bochum” in *Bänkelsang: Texte, Bilder, Kommentar* (Stuttgart: Phillip Reclam Jun., 1985), 226.

Lied zur Geschichte.

Ob neuer Unthat klagt entsetzt
Die Menschheit im Westfahlenland.
Entehrt, gemordet, fleischzerfetzt
Von eines Wüstlings Mörderhand,
So ward beim Gang zum Gotteshaus
Das Opfer ins Gebüsch geschleift,
Ein Mägdlein zart, – das Herz ergraut –
Zur Jungfrau kaum herangereift.

Nun auf, ihr Todten zum Gericht!
Wohl mag Gott säumen in Geduld
Doch glaubt, der Rächer schlummert
nicht,
Und nie bleibt ungestraft die Schuld,
Die Hölle selbst zu Fall ihn bringt,
Sie hetzt von That zu That ihn fort
Und wenn ihm auch die Flucht gelingt,
Sie treibt ihn an von Mord zu Mord.

Dann aber tönt aus Himmels Höh'
Der Racheruf: »Zum Hochgericht!«
Und aus den Gräbern tönt des Weh',
Wie wenn das Herz in Aengsten bricht,
Da thut sich weit der Abgrund auf,
Wie Geisterruf: »Die Stunde naht!
Nun Mörder hemme deinen Lauf,
Die Strafe folgt der Missethat!«

Fort aus der Menschheit sei verbannt,
Das Thier steht hoch noch über dir,
Hat seinesgleichen stets erkannt,
Drum sei verfluchtet dort und hier!
Vernichtet sei dein freches Hirn,
Das Wollust nur und Mord ersann,
Herunter mit der frechen Stirn,
Gescheh' dir nun, wie du gethan!

Hinauf, hinauf zum Hochgericht! –
Was zaudert noch des Mörders Fuß?
Wir zünden an das Todtenlicht,
Die Hölle schmückt sich dir zum Gruß.
Nun bücke dich und fasse Muth,
Es blinkt das Beil, der Menge graut's,
Ein Blitz, ein Schlag, hoch springt das
Blut,
Wir sind gerächt! – Hoch Meister
Krauts! –

Nun fliege fort von Stadt zu Stadt,
Von Dorf zu Dorf, von Haus zu Haus,
Du von der Unthat redend' Blatt
Und wecke Abscheu, Scham und Graus.
Verfolge auch der Mörder Spur,
Die diesem gleich, noch unentdeckt
Sich bergen, doch so lange nur,
Bis das Gericht sie donnernd weckt.

Zieht mit ihr Opfer, nah und weit,
Zeigt eure Wunden klagt und zeugt
Bei Hildesheim die junge Maid,
Dess' Tod der Eltern Herz gebeugt.
Und noch viel andre Morde sind
Von gleicher Art, noch unentdeckt,
Zieh mit du Geist vom jungen Kind,
Daß sich vor dir dein Mörder schreckt.

Verfolgt, verfolgt der Mörder Spur,
Gönnt ihnen nimmer Ruh, noch Rast,
Bis sie, wie diese Unnatur
Der Rächerarm des Henkers faßt.
Zeigt eure Qual, zeigt eure Wunden
Ihr Opfer und ihr, Mörder, schaut's! –
Bis sie entdeckt, bis sie gefunden,
Halt scharf das Richtbeil Meister Krauts.

Figure 1.5. Folk song about the need to catch the perpetrator in Bochum that was printed as part of the publication above by a publisher in Hanover, Fr. Rodewald, who claimed to always publish only high quality versions of the newest folk songs describing current events, unlike his competition.

Source: Wolfgang Braungart, ed., "Zwei neue Mordthaten aus der Gegend von Bochum" in *Bänkelsang: Texte, Bilder, Kommentar* (Stuttgart: Phillip Reclam Jun., 1985), 232-34.

Conclusion

Since all of the female victims and survivors were natives of Bochum and the surrounding areas, inhabitants in this region of Westphalia confronted an especially unsettling, horrifying series of crimes. All of the attacks had been committed in broad daylight and, moreover, two had occurred in the early morning on holy days. The perpetrator attacked the girls and women when they were alone working out of doors or walking alone, with the exception of the midwife Becker, whom the perpetrator abducted from her home as Becker left with him to attend to her occupation. Consequently, news of the attacks restricted the physical movement of many women in the daylight hours, especially in the city. In order to ensure their safety while performing day-to-day activities, many women became dependent upon men to accompany them on their way to church, school, work, the pub, and back home. Many female visitors to the area also preferred to forgo the risk of going out unaccompanied.

The victims, most of whom were maidservants, were not devalued in public memory. The newspaper accounts treated the memory of the victims with respect; they did not blame the victims, but rather emphasized their youthful innocence. Moreover, the *Märkischer Sprecher* continually expressed its outrage at the abominable deeds of the “monsters,” who committed such crimes on young girls and women, and longed for the legal execution of justice through the literal execution of the perpetrators. Local communities also collectively mourned the tragic ends of the young girls and women whom they knew as family members, friends, employees, neighbors, acquaintances, or simply as fellow community members by gathering together in ecclesiastical settings. On June 17, 1882, large placards announced that the previous rewards set for the discovery

of the murderer of Ostermann and Gantenberg were raised from 500 marks and 1000 marks, respectively, to 10,000 marks, collectively.⁵⁹ Approximately two months after Ostermann's death and one month after Gantenberg's death (after the seventh and eighth murders), the monetary reward had increased substantially, reflecting the urgency authorities and community members felt to catch the perpetrator and finally put a stop to the murders. The lyrics of the folk song, "Lied zur Geschichte," underscored the horror of the perpetrator's crimes by reciting the violation, murder, and mutilation of a young virgin girl on her way to God's house and empathized with the hearts of the parents of another young girl that were "bowed down with grief."

In contrast, authorities and the public alike repeatedly assumed that a perpetrator capable of such harrowing crimes could only be a monster. Authorities also believed that the perpetrator could belong to any class, but especially the upper classes, and supposed that the perpetrator(s) probably lived among them. According to the newspaper accounts, however, aside from lechery, no one could comprehend what could possibly explain the reasons for such a "frightful epidemic" of Lustmord in Bochum and its surrounding communities. The folk song, "Lied zur Geschichte," expressed a communal longing for nothing short of the execution of the murderer in order to exact earthly vengeance on behalf of Westphalia. In the context of labor unrest in a newly and rapidly industrializing area of the Ruhr, a formerly reluctant Kaiser Wilhelm I decided to permit the execution of murderers in Prussia in the 1880s on the grounds of public reactions to these events in Bochum and the bestial nature of the crimes.

⁵⁹ LAV NRW W, Plakatsammlung, Nr. 749/750, SP 388.

To conclude, surviving newspaper reports of serial sex murder in Bochum from 1878 to 1882 give a glimpse into why inhabitants in Bochum and the surrounding area found this series of crimes and other attempted sex crimes and murder to be so particularly shocking and terrifying. Newspaper accounts reported a frightfully brutal series of murders and sexual violations that were committed in broad daylight against respectable young girls and women from Bochum's own community, quite possibly by perpetrators from within Bochum or the surrounding vicinity who were capable of repeatedly eluding capture by both the legal authorities and the outraged community. The series of murders captured attention from outside of Westphalia when the Criminal-Inspector Meerscheidt-Hüllessem had to be called from Berlin to Westphalia to restore the security within the communities in and around the city of Bochum. However, it was not until the discovery of the strangled, mutilated body of the fifth murder victim, the midwife Becker, that Bochum's series of murders became identified as a new category of crime. As a well-known member of the community, whose occupation served to both bring forth life and prevent the loss of life in the community, the inexplicably brutal and devious crimes against Becker horrified and grieved the community. Additionally, if Becker had been a target of such violent sex crimes by the perpetrator, then as long as the perpetrator went unidentified, he was also a threat to every other remaining female in the area. However, news of these shocking events spread well outside of this small region in the province of Westphalia. Newspapers from across Germany officially brought the term for this new category of crime, i.e., 'Lustmord,' into popular usage in the German language as early as 1880 and into the *Deutsches Wörterbuch* of the Brothers Grimm by 1885 because of their reports of serial sex murder in Bochum. Moreover, in addition to

serving as a popular form of expression to memorialize and lament the horror of the crimes in Westphalia, the distillation of shared public grief into a folk song was another way that news of the crimes spread to other parts of Germany.

Chapter 2: The Development of ‘Lustmord’ as a Scientific Concept (1886-1910)

Richard von Krafft-Ebing’s Definition and Scientific Classification of ‘*Lustmord*’

In 1886, while Professor of Psychiatry and Neurology at the University of Graz, German-born sexologist Richard von Krafft-Ebing (1840-1902) published the first edition of his groundbreaking work, *Psychopathia Sexualis*, in which he first defined and classified ‘*Lustmord*’ as a scientific concept. Although Krafft-Ebing continually revised and expanded his seminal work on sexual deviation, with a few notable exceptions, much of his basic definition of Lustmord did not change throughout the twelve editions from 1886 to 1903. In the first and later editions Krafft-Ebing defined “Lustmord” as “lust potentiated as cruelty, murderous lust extending to anthropophagy” / (“*Wollust potenziert als Grausamkeit, Mordlust bis zur Anthropophagie*”).⁶⁰ Krafft-Ebing’s analysis of Lustmord would become an authoritative work on the subject and his focus on categorizing criminals and their crimes, and not the victim would influence later criminological experts studying Lustmord. However, his method of stringing together a series of mostly secondhand grisly stories of crimes (that he identified as fitting into the category Lustmord), while only occasionally interspersing them with brief commentary, actually left much open to interpretation for his readers. Krafft-Ebing’s method of organizing his cases might have convinced his contemporaries that diverse phenomena

⁶⁰ Richard von Krafft-Ebing, *Psychopathia Sexualis, eine klinisch-forensische Studie* (Stuttgart: Verlag von Ferdinand Enke, 1886), 36; Richard von Krafft-Ebing, *Psychopathia Sexualis, with especial reference to contrary sexual instinct: a clinical-forensic study*, 12th ed., ed. Brian King (Burbank: Bloat, 1999), 85. According to historian Harry Oosterhuis, fourteen editions of *Psychopathia Sexualis* actually appeared between 1806 and 1903, including two under the title *Neue Forschungen auf dem Gebiet der Psychopathia sexualis*, but for the sake of clarity, I refer to the twelfth edition here as the last edition, as is commonly practiced. Harry Oosterhuis, *Stepchildren of Nature: Krafft-Ebing, Psychiatry, and the Making of Sexual Identity* (Chicago: University of Chicago Press, 2000), 152.

could be organized into discrete categories, but what his readers actually took away from his analysis of Lustmord in particular, depended, to a large extent, on their own observations (or that of others). For this reason, this history of the development of the scientific concept of Lustmord begins first with an analytical summary of Krafft-Ebing's definition of Lustmord, before addressing some of the larger implications of his understanding of Lustmord and some of the ways in which his medical, legal, and criminological contemporaries read his interpretation of Lustmord and adapted or disagreed with it.

Without ever explicitly delineating each of the possible characteristics of Lustmord, Krafft-Ebing's compilation of stories included examples from all across Europe (Germany, England, France, Italy, Spain, and Prague) in which the perpetrators, because of the combination of an abnormally heightened sexual desire (hyperesthesia) and a perversion of the sexual instinct (parathesia), either strangled, choked, cut the throat, raped, stabbed, ripped open the abdomen, tore or cut out intestines, breasts, or genitals, cut the body into pieces, drank or sucked blood, or ate body parts of their victims in order to satisfy their sexual desire.⁶¹ With Krafft-Ebing's addition of the case of "Vacher the Ripper" in later editions, necrophilia could also be considered another possible characteristic of Lustmord.⁶² In all of the examples, the perpetrators were male, but the victims were both male and female.

⁶¹ Krafft-Ebing, *Psychopathia Sexualis*, 38-44; Krafft-Ebing, *Psychopathia Sexualis*, 12th ed., 85-94.

⁶² See Krafft-Ebing's description of the case of "Vacher the Ripper" in *Psychopathia Sexualis*, 12th ed., 87-89.

More explicitly, under the section “Pathological Sexuality in its Legal Aspects,” Krafft-Ebing made several legal distinctions in the first edition, which also did not change in later editions. He clearly stipulated that not all crimes of rape followed by murder should be identified as a crime of Lustmord. He noted that, “The crime of rape may be followed by the murder of the victim. There may be unintentional murder, murder to destroy the only witness of the crime, or murder out of lust,” but “only for the cases of the latter kind should the term Lustmord be used.” He then explained that one could ascertain the motivation of lust behind a murder by observing the type of injuries inflicted on a victim’s body: “The presumption of a murder out of lust always exists when injuries of the genitals are found, the character and extent of which cannot be explained by a brutal attempt at coitus alone; or, further, when the body has been opened, and parts (intestines, genitals) have been torn out and are absent.” Lastly, he claimed that cases of Lustmord “dependent upon psychopathic conditions are never committed with accomplices.”⁶³

Although German-speaking medical, criminological, and legal experts would later regard Lustmord as the most extreme form of sadism because of Krafft-Ebing’s influential work,⁶⁴ in the initial editions of *Psychopathia Sexualis*, Krafft-Ebing had not yet created the category of “sadism” (or that of “masochism”). In the first edition from 1886, under the category of “Lustmord and related phenomena,” Krafft-Ebing had already observed that lust and cruelty often occur together and that for degenerate individuals the consummation of coitus did not satiate the libido, and that their feelings of

⁶³ Krafft-Ebing, *Psychopathia Sexualis*, 99; Krafft-Ebing, *Psychopathia Sexualis*, 12th ed., 441-42.

⁶⁴ See for example, Anton Baumgarten, “Die Beziehungen der Prostitution zum Verbrechen,” *Archiv für Kriminal-Anthropologie und Kriminalistik* 11: 1 (1903): 30.

lust increased with the physical pain of the victim. However, he only made a brief mention of the Marquis de Sade after listing the series of cases Krafft-Ebing considered to be examples of Lustmord. Krafft-Ebing remarked that de Sade “who had been oft cited by French writers, must be a similar monster (*Ungeheuer*),” since he “wounded naked women in order to associate their wounds with the highest lustful pleasure (*Wollust*).” Not until 1890, while Professor of Psychiatry and Neurology at the University of Vienna, would Krafft-Ebing include an initial definition of sadism based on de Sade’s novels and consider sadism to be a principal category of sexual perversion. Based on his previous observations under “Lustmord and related phenomena” in early editions, Krafft-Ebing relocated much of the introductory material in this section to his new category of “sadism.” He reclassified “Lustmord” as the first subcategory of sadism and removed any mention of de Sade from the subcategory of “Lustmord.” He also reorganized some of the remaining material from the previous subcategory “Lustmord and related phenomena” into various subcategories under “sadism.”⁶⁵

In the twelfth and final edition, Krafft-Ebing defined sadism as “the association of active cruelty and violence with lust” and “the experience of sexually pleasurable sensations (including orgasm) that is produced by acts of cruelty and bodily punishment, either self-inflicted or witnessed in others.” He added that sadism “may also consist of an

⁶⁵ Krafft-Ebing, *Psychopathia Sexualis*, 36, 44; Richard von Krafft-Ebing, *Psychopathia Sexualis, mit besonderer Berücksichtigung der conträren Sexualempfindung, eine klinisch-forensische Studie*, 2nd ed. (Stuttgart: Verlag von Ferdinand Enke, 1887), 45-46; Richard von Krafft-Ebing, *Psychopathia Sexualis, mit besonderer Berücksichtigung der conträren Sexualempfindung, eine klinisch-forensische Studie*, 6th ed. (Stuttgart: Verlag von Ferdinand Enke, 1891), 45. To see exactly which material Krafft-Ebing relocated from “Lustmord and related phenomena” to “sadism,” compare Krafft-Ebing, *Psychopathia Sexualis*, 36-38 with Krafft-Ebing, *Psychopathia Sexualis*, 6th ed., 45-50 and Krafft-Ebing, *Psychopathia Sexualis*, 12th ed., 79-84. Oosterhuis noted that Krafft-Ebing first coined ‘sadism’ and ‘masochism’ in 1890 in the first edition of his *Neue Forschungen auf dem Gebiet der Psychopathia sexualis*. Oosterhuis, *Stepchildren of Nature*, 49.

innate desire to humiliate, hurt, wound, or even destroy others in order to create sexual pleasure in oneself.” Although the distinct subcategories Krafft-Ebing had created under the category of “sadism” had mutated throughout the different editions, in the twelfth edition, Krafft-Ebing organized his cases of sadism into the following subcategories: “Lustmord;” “Mutilation of corpses;” “Injury to women (stabbing, flagellation, etc.);” “Defilement of women;” “Other kinds of assault on females – symbolic sadism;” “Ideal sadism;” “Sadism with any other object – whipping of boys;” “Sadistic acts with animals;” and “Sadism in woman.”⁶⁶

In the twelfth edition, under the subcategory of “Lustmord” Krafft-Ebing described Lustmord using three brief examples (Bichel, Phillipe, Grassi) and eight cases (15. Menesclou; 16. Alton; 17. Jack the Ripper; 18. Vacher the Ripper; 19. Leger; 20. Tirsch; 21. Verzeni; and 22. Gruyo) of men who had committed crimes that Krafft-Ebing identified as Lustmord. In these examples and cases, Krafft-Ebing recounted the crimes of these male perpetrators in order to show the various manifestations of this type of crime in addition to any clues as to why they might have committed these crimes, including any signs of their degeneracy. With the exception of the two cases of Jack the Ripper and Vacher the Ripper, Krafft-Ebing included the other nine examples and cases in all twelve editions.

Since the crimes of Jack the Ripper did not occur until 1888, Krafft-Ebing did not yet of course include them as one of his cases of Lustmord in the initial editions of *Psychopathia Sexualis*. In the sixth and seventh editions from 1891 and 1894, Krafft-Ebing mentioned the crimes of Jack the Ripper, citing two medical journal articles from

⁶⁶ Krafft-Ebing, *Psychopathia Sexualis*, 12th ed., vi, 79.

1888, the year in which the murders occurred; however, Krafft-Ebing did not fully include Jack the Ripper as an official case of Lustmord until later editions. In the seventh edition from 1894, Krafft Ebing wrote:

The Whitechapel murderer [of women], who still eludes the vigilance of the police, probably belongs in this category of psycho-sexual monsters [*Monstra*]. The constant absence of uterus, ovaries, and labia in the victims (ten) of this modern Bluebeard, allows the presumption that he seeks and finds further satisfaction in anthropophagy.⁶⁷

Since it took eight years or more (from 1886 to 1894 or later) before Krafft-Ebing would include Jack the Ripper as an official case of Lustmord, the crimes of Jack the Ripper were not immediately central to the development of Krafft-Ebing's initial scientific concept of Lustmord. In this initial mention of Jack the Ripper, Krafft-Ebing used the crimes of Jack the Ripper simply to illustrate and identify another possible defining characteristic of Lustmord—that is, that a perpetrator of Lustmord would not only seek to, but also could satisfy his sexual desire by eating female reproductive body parts. By assuming that cannibalism explained the motivation of Jack the Ripper to cut out the reproductive body parts of his female victims, rather than attributing any kind of emotional psychological motivation to this act of mutilation, Krafft-Ebing interpreted this act to fulfill decidedly carnal purposes. Perhaps Krafft-Ebing interpreted it this way because in the first edition and all other editions, he had already identified the “craving (*Gelüste*) for the flesh of the murdered victim” as a possible characteristic of Lustmord in

⁶⁷ Richard von Krafft-Ebing, *Psychopathia Sexualis, with especial reference to Contrary Sexual Instinct: A medico-legal study*, 7th ed., trans. Charles Gilbert Chaddock (Philadelphia: F.A. Davis Company, Publishers and London: F. J. Rebman, 1894), 64; Krafft-Ebing, *Psychopathia Sexualis*, 6th ed., 53.

the cases of Leger and Tirsch, since they had eaten parts of the bodies of their victims or drunk their blood.⁶⁸

Sometime after the seventh edition from 1894 and by the twelfth edition in 1903, Krafft-Ebing rewrote the section on Jack the Ripper (and made it into an official case).

After listing the dates of the Ripper's crimes, Krafft-Ebing wrote:

The bodies of women were found in various lonely quarters of London ripped open and mutilated in a peculiar fashion. The murderer has never been found. It is probable that he first cut the throats of his victims, then ripped open the abdomen and groped among the intestines. In some instances he cut off the genitals and carried them away; in others he only tore them to pieces and left them behind. He does not seem to have had sexual intercourse with his victims, but most likely the murderous act and subsequent mutilation of the corpse were equivalents of the sexual act.

Krafft-Ebing no longer assumed that Jack the Ripper ate the reproductive body parts that he cut out. Instead, Krafft-Ebing wished to use this case to point out that since it did not appear that Jack the Ripper had sexually violated his eleven victims (in actuality, more likely five victims), the murder and the subsequent mutilation of the corpse functioned as an equivalent of the sexual act for him.⁶⁹

However, Krafft-Ebing had already made a similar point in the case of Vincenz Verzeni at least as early as his sixth edition in 1891. Krafft-Ebing had already included the case of Verzeni in his first edition in 1886, but the way that Krafft-Ebing eventually would decide to interpret and comment on it changed sometime after the second edition in 1887 and by the time of the sixth edition in 1891. In the sixth and later editions, Krafft-Ebing introduced the case by explaining its singular importance, after having already listed all of the other examples and cases (with the exception of that of Gruyo):

⁶⁸ Krafft-Ebing, *Psychopathia Sexualis*, 41-42.

⁶⁹ Krafft-Ebing, *Psychopathia Sexualis*, 12th ed., 87.

In other cases of Lustmord, violation is omitted for physical and mental reasons...and the sadistic crime alone becomes the equivalent of coitus. The prototype of such cases is the following one of Verzeni. The life of his victim hung on the rapid or retarded occurrence of ejaculation. Because this remarkable case presents all the peculiarities known by modern science concerning the relation of lust (Wollust) and the lust to kill (Mordlust) with anthropophagy, and especially because it was carefully studied, it receives a detailed description here.

In his lengthy description of the case of Verzeni (who was born in 1849 and imprisoned in 1872), of whom Krafft-Ebing had learned from the writings of Italian physician and criminologist, Cesare Lombroso, Krafft-Ebing reported that the young Verzeni himself had confessed not only to his crimes of strangling, disemboweling, and drinking the blood of women, but also to his motives behind these crimes. He confessed that he experienced “erections and real sexual pleasure” when choking women. If he experienced sexual satisfaction before the women died, then he allowed his victims to live, but if “the sexual satisfaction [ejaculation] was delayed, then he continued to choke them until they died” and sucked their blood. He also confessed that he “took the clothing and intestines because of the pleasure” it gave him “to smell and touch them,” and that it had never occurred to him “to touch or look at the genitals or such things.” Krafft-Ebing pointed out that “Verzeni arrived at his perverse acts quite independently after he noticed, at twelve years old, that he experienced a peculiar feeling of pleasure while wringing the necks of chickens.”⁷⁰ In short, Krafft-Ebing used the case of Verzeni at least as early as 1891 to purposely illustrate a defining characteristic of Lustmord that would become central to later interpretations of sexual violence that were regarded as acts of Lustmord—that is, sexual violation (forced sexual intercourse) did not necessarily

⁷⁰ Krafft-Ebing, *Psychopathia Sexualis*, 6th ed., 53-55; Krafft-Ebing, *Psychopathia Sexualis*, 12th ed., 91-93. Krafft-Ebing also did not fail to include Lombroso’s observations of degeneracy on the physical body of Verzeni and among Verzeni’s ancestors.

need to take place in order for a murder motivated by lust to be considered Lustmord since perpetrators sought and experienced sexual gratification equivalent to coitus through sadistic violence. Krafft-Ebing did briefly comment on this point in the case of Jack the Ripper, but not until some years later.⁷¹ Additionally, this part of Krafft-Ebing's definition of Lustmord differed from the popular definition found in the Brothers Grimm German Dictionary, which had defined Lustmord as rape followed by murder motivated by lust.

After the Verzeni case, Krafft-Ebing included one more "analogous case" in all of the editions, but he did not provide any additional commentary. Of the Spanish case of Gruyo, which Krafft-Ebing also took from Lombroso, Krafft-Ebing wrote:

A certain Gruyo, aged forty-one, with a blameless past life and married three times, strangled six women in the course of ten years. Almost all were street prostitutes and quite old. After strangling them he tore out their intestines and kidneys through the vagina. Some of his victims he violated before killing; others, because of impotence, he did not. He set about his horrible deeds with such care that he remained undetected for ten years.

Krafft-Ebing gave this example in order to show that rape was not a necessary antecedent of Lustmord, since this man committed Lustmord (by strangling and violently dismembering the victims), whether or not he was able to rape the women. Although Krafft-Ebing did not explicitly make the point that impotence might be a reason for the lack of forced coitus before a Lustmord, the case of Gruyo certainly implied this point.⁷²

⁷¹ Contra Hania Siebenpfeiffer, *Böse Lust: Gewaltverbrechen in Diskursen der Weimarer Republik* (Köln: Bohlau Verlag, 2005), 189-90. Siebenpfeiffer claims that the signature characteristics of sexual murder arose because of Jack the Ripper. However, even in the case of Jack the Ripper, whose distinctive murders and mutilations of prostitutes were more obviously sexual in nature and thus publicly advertised as the work of a 'sex maniac,' many were astonished and refused to believe that he was motivated by deviant sexual urges. Judith R. Walkowitz, *City of Dreadful Delight: Narrative of Sexual Danger in Late Victorian London* (Chicago: The University of Chicago Press, 1992), 197.

⁷² Krafft-Ebing, *Psychopathia Sexualis*, 12th ed., 93-94.

One final point in relation to the Verzeni case deserves mention here. The case of Verzeni pointed relatively clearly to sexual gratification as the motive behind this kind of sexual violence because of his self-confession. However, in the Prague case of Tirsch, Krafft-Ebing described the motivation behind Tirsch's crimes as anger, rage, and hatred of women, rather than simply as murder out of lust, as he had implied in the other cases.⁷³

Krafft-Ebing included the case of Vacher the Ripper based on a description of the crimes of Joseph Vacher in the book *Vacher l'éventreur et les crimes sadiques* (1899), written by the French founder of criminology that rivaled Lombroso's Italian school, Alexandre Lacassagne. Vacher, whose extremely violent sexual proclivities presented a danger to everyone around him, deserves mention because his trial figures as an example of an early case of sex murder in which the question of insanity played a major role. Lacassagne, along with Auguste Pierrel and Fleury Rebatel, testified at Joseph Vacher's trial. They ruled out any possibility that Vacher would be considered insane, as Vacher had attempted to claim since he had previously spent time in an asylum. According to Krafft-Ebing's description, they regarded Vacher as "an immoral, passionate man" who once temporarily had been placed in an asylum for "a depressing persecution mania" but was since "cured, and thereafter became responsible for his actions. They determined that he was "not epileptic nor subject to an impulsive disease" and that his crimes were those of "an antisocial, sadistic, blood-thirsty being, who considers himself privileged to commit these atrocities because he was once treated in an asylum for insanity, and thereby escaped well-merited punishment. He is a common criminal and there are no ameliorating circumstances to be found in his favor." Several times Krafft-Ebing

⁷³ Ibid., 90.

affirmed the medical testimony that Vacher had in fact been sane, having “acted in cold blood,” been “conscious of his actions,” having “fled after their commission,” having “a clear memory of the facts,” having “no marks of anatomical degeneration” and having had no sign of “psychic abnormality.”⁷⁴ Although Krafft-Ebing did not explicitly make this point, in this case, the commission of sadistic acts did not signify that the perpetrator was insane.

Of all of Krafft-Ebing’s examples and cases of Lustmord, only that of Andreas Bichel from Regendorf, Bavaria has received attention from recent scholarship. Krafft-Ebing learned of Bichel’s crimes from the account of the famous Bavarian judicial reformer Paul Johann Anselm Ritter von Feuerbach in his *Aktenmässigen Darstellungen merkwürdiger Verbrechen*, published in 1811. Krafft-Ebing retroactively identified Bichel’s crimes to be cases of Lustmord and introduced Bichel’s crimes from 1806 and 1808 as the “most horrible example,” placing the example first in his series of examples and cases because he considered it to be “the one that most pointedly shows the connection between lust (*Wollust*) and the lust to kill (*Mordlust*).” Scholars Peter Becker and Hania Siebenpfeiffer have used the case to effectively point out general differences in interpretations between the early-nineteenth century and late-nineteenth century interpretations of Bichel’s crimes by Feuerbach and Krafft-Ebing, respectively. However, this scholarship has overlooked several points. First, although Feuerbach certainly emphasized other non-sexual aspects of Bichel’s crimes, Feuerbach’s interpretation of Bichel’s crimes as sexually motivated influenced Krafft-Ebing’s interpretation more than has been previously acknowledged. Second, this scholarship has not sufficiently accounted for the larger reasons why Feuerbach stressed non-sexual aspects of Bichel’s

⁷⁴ Ibid., 87-89.

motivation for his crimes over other sexual aspects. Third, neither the uniqueness of Feuerbach's views amongst early-nineteenth century legal attitudes toward sex crimes in regard to this case has been recognized, nor the implications of those views, particularly in comparison to the implications of Krafft-Ebing's own legal perspectives.⁷⁵

In Feuerbach's account of "Andreas Bichel the Girl Slaughterer" / ("Andreas Bichel der Mädchenschlächter"), Bichel murdered two women, Barbara Reisinger and Katharina Seidel, after promising to tell them their fortunes, including whom they would marry. On separate occasions, he stabbed both of them in the neck and began to cut their bodies into pieces (quite possibly while they were still alive) in order to more easily conceal their remains. In Seidel's case, Bichel used a wedge and a cobbler's hammer to also break open her breast bone to see her inward parts. He also attempted to lure several other women to his home by offering to let them see their fortunes. Each time he told the women it was necessary to bring several changes of their finest clothing with them. In Reisinger's case, Bichel lied to her parents so that they would send him their daughter's entire wardrobe after he had already murdered her. In Seidel's case, nine months before he murdered her, he had first noticed her fine clothing while they were walking together. Bichel finally came under the suspicion of authorities when one of Seidel's sisters spotted the tailor making a waistcoat out of fabric from Katharina's petticoat. Bichel and his

⁷⁵ See Hania Siebenpfeiffer, *Böse Lust: Gewaltverbrechen in Diskursen der Weimarer Republik* (Köln: Bohlau Verlag, 2005), 186-88. (There are a couple of minor factual mistakes in Siebenpfeiffer's brief summary of the case). Peter Becker, "The Criminologists' Gaze at the Underworld: Toward an Archaeology of Criminological Writing," in *Criminals and Their Scientists: The History of Criminology in International Perspective*, ed. Peter Becker and Richard F. Wetzell (New York: Cambridge University Press, 2006), 124-27.

wife also sold the clothing for money, but Bichel denied that his wife knew anything about the murders.⁷⁶

Krafft-Ebing emphasized the connection between sexual pleasure, murder, and cannibalistic desire, by reprinting only one very brief, slightly modified excerpt from Feuerbach's account that made no mention of Bichel's pecuniary motivations. Krafft-Ebing introduced the quote by claiming that "Bichel killed and dissected the girls he raped" even though Feuerbach's account did not explicitly say that Bichel had raped the women. Krafft Ebing wrote that Bichel himself confessed:

I opened her breast and, with a knife, cut through the fleshy parts of the body. Then I arranged the body as a butcher does beef and, with an axe, hacked it into small pieces to fit into the hole which I had dug up in the mountain to bury it. I can say that while opening the body I was so greedy that I trembled, and could have cut out a piece and eaten it.⁷⁷

However, in Feuerbach's account, Bichel confessed that his "only reason for murdering Reisinger and Seidel was desire for their clothes," adding that he fell prey to the voice of temptation to "get something without the risk of discovery." According to Feuerbach, when Bichel was asked if he had any "lustful intentions" toward the victims or if he had "satisfied" his lust on them, Bichel repeatedly denied it. Feuerbach concluded, however, that because of Bichel's "curiosity for the inner make-up of a female body," "his desire heightened to the point of trembling at the pleasure of the still smoking murder victim," "the [knowledge from] general experience that lust and blood

⁷⁶Krafft-Ebing, *Psychopathia Sexualis*, 12th ed., 85. Anselm Ritter von Feuerbach, "Andrew Bichel, the Woman-Murderer" in *Narratives of Remarkable Criminal Trials*, trans. Lady Duff Gordon, (New York: Harper and Brothers, 1846), 271-85. This abridged translation of Feuerbach's writings is lacking the penultimate paragraph found in the original German edition, Paul Anselm Feuerbach, "Andreas Bichel, der Mädchenschlächter" in *Merkwürdige Verbrechen*, ed. Rainer Schrage (Frankfurt am Main: Insel Verlag, 1981), 160-179. The German 1981 edition also lacks some of the material at the beginning and end of the original publication from 1811.

⁷⁷ Krafft-Ebing, *Psychopathia Sexualis*, 12th ed., 85.

thirst are connected to each other,” the highest likelihood existed that “a hidden sexual desire at least affected the manner by which Bichel carried out the murder, if not his decision to murder.”⁷⁸ Feuerbach’s footnote to this comment associates “lust” with “blood thirst” because of two related Indian deities Shivah (Death) and Durga (Lust), whom Krafft-Ebing also mentioned. Krafft-Ebing cited this reference to these deities as being from an article published by the physician Blumröder in 1830, under the subcategory of Lustmord in the first edition, and then later under the category of sadism. Blumröder also used the terms “lust” (*Wollust*) and “lust to kill” (*Mordlust*) together, which Krafft-Ebing had used to describe Bichel’s case, as noted above.⁷⁹

Feuerbach recounted the Bichel case in order to stress what he believed were just and humane methods of discerning a person’s guilt (without making any false assumptions) and determining how to punish his or her crimes. For this reason, he described how Bichel’s crimes had first come to the attention of authorities; how authorities were able to get to the bottom of Bichel’s many denials and prevarications; how they eventually were able to get Bichel to confess his crimes; and how Bichel was executed. Feuerbach spoke of how one could perceive Bichel’s guilty demeanor through his manner and expression and emphasized the necessity of extensive questioning. Feuerbach also pointed out how court authorities were reminded that they should not use torture to get Bichel to confess to his deeds, but rather they should display before Bichel the remains of the victims that had been unearthed. Feuerbach noted how effective this method, in conjunction with a couple of days of solitary imprisonment, had been in

⁷⁸ Feuerbach, *Narratives*, 285; Feuerbach, *Merkwürdige Verbrechen*, 178-79.

⁷⁹ Feuerbach, *Merkwürdige Verbrechen*, 178; Krafft-Ebing, *Psychopathia Sexualis*, 36-37; Krafft-Ebing, *Psychopathia Sexualis*, 12th ed., 81.

Bichel's case. Feuerbach also contrasted the humanity of the state to that of Bichel by explaining that instead of breaking Bichel on the wheel, the state beheaded him in 1809: "This was done, not for the sake of sparing the criminal, whose morally abominable deed [*Schandthat*] was greater than any possible punishment, but out of regard to the moral dignity of the state, which ought not, as it were, to vie with a murderer in cruelty." The relative leniency of these latter two measures had been brought about by Feuerbach's own influence, as President of the Central Criminal Court in Bavaria.⁸⁰

Feuerbach described Bichel as a forty-eight year old man, originally from a Catholic peasant family, who got along very well with his wife. Feuerbach noted that although Bichel did not have a "particularly bad reputation" as he was not a drunkard, a gambler, or quarrelsome, he did have a penchant for stealing. Feuerbach believed that not only Bichel's covetousness, but also his cowardice could explain his commission of these crimes since Feuerbach believed that "cowardice is almost always allied with cunning, and usually with cruelty and malice." Feuerbach explained that men such as Bichel strike out with vengeance because they have been too timid to stand up for themselves during their life and that "To men of this character the innocent and the weak seem fitting objects whereon to wreak their vengeance for the injuries their self-love has received." Feuerbach also noted that "another remarkable trait in the character of Bichel was a degree of covetousness which looked upon no booty as too small to be worth obtaining even by the greatest crimes, if they could but be committed without danger"

⁸⁰ At this time, authorities would also tell accused persons that a full confession might soften the punishment. Moreover, the accused would have to remain in prison in silence until guilt or innocence was proven. Feuerbach, *Narratives*, viii, 273-74, 276-78, 285; Richard J. Evans, *Rituals of Retribution: Capital Punishment in Germany, 1600-1987* (Oxford: Oxford University Press, 1996), 233. Paul Joh. Anslem Feuerbach, "Andreas Bichel, der Mädchenschlächter" in *Merkwürdige Criminal-Rechtsfälle*, Vol. 2 (Giesen: Gottg. Müller, 1811), 30. The quote above is taken from Feuerbach's 1811 edition since it is quoted slightly different in later editions.

and if they required no “energy or courage.” Feuerbach concluded that “Such a character as Bichel’s is made up of cruelty, insensibility, avarice, and cowardice, allied to a very limited understanding and to a coarse nature utterly unsoftened by education.”⁸¹

Feuerbach thus looked to Bichel’s character in order to account both for the more rational motive of stealing by regarding Bichel as cunning and the more brutal aspects of the murders by pointing to Bichel’s cowardice and cruelty.

As scholars have noted, rather than attributing Bichel’s crime to pathological sexual desires, Feuerbach focused on Bichel’s rational, economic motive of stealing and located the cause of Bichel’s crimes in his moral character—his avarice and cowardice. One reason Feuerbach focused his attention on Bichel’s character, however, was to determine how severely the state should punish Bichel, whether to execute him or grant him a reprieve. According to historian Richard J. Evans, if Feuerbach considered the motivation behind a crime to be less severe, and if he considered the criminal to be an otherwise respectable citizen, he often recommended a reprieve to the Bavarian monarch. But if not, then Feuerbach often recommended that the criminal not be granted a reprieve. According to Feuerbach, avarice was especially dangerous to the social order and he regarded murder for gain “to be one of the most dangerous types of murder because it derives from a passion which rules over men to a greater degree, and with greater power, than any other, namely self-interest.” Since he thought that leniency in these cases would only lead to a higher frequency of people taking the lives of others out of self-interest, he

⁸¹ Feuerbach, *Narratives*, 280.

consistently recommended in such cases that the perpetrators be executed.⁸² In Bichel's case, Feuerbach recommended that Bichel be executed and stated in his initial publication from 1811 that "if this villain [*Bösewicht*] is not executed by justice, then who could be put to death?"⁸³

Additionally, the reason why Feuerbach paid attention to nonsexual aspects of Bichel's motivation in determining how to punish Bichel for his crimes was because Feuerbach did not believe that sexual aspects should determine punishment. When Feuerbach's account of the Bichel case was published in 1811, he had already finished his second draft in 1810 of what would become the Bavarian Criminal Code of 1813. Historian Isabel Hull has noted that Feuerbach's liberal code was the only nineteenth-century German law code that lacked a category for sexual crime. Even though other German states (Oldenburg, Thuringia, Württemberg, Hanover, Brunswick, and Saxony) would model their reform of criminal law after Feuerbach's, they did not copy his reforms in this area. Since Feuerbach wished to separate morality from the law, he did not believe that criminal behavior should be ordered into the moral category of sexual crime (religious or secular), but rather that criminal sexual behavior should be regarded as a way of committing fraud, violence, or obtaining pleasure at someone else's expense.

In old rape laws, the severity of the punishment of an offender depended on the moral distinctions of the honor of a victim's *Stand* and her social importance in relation to men since rape was considered to be an injury against property interests. At the top of the hierarchy of victims stood wives, followed in descending order by nuns, brides,

⁸² Evans, *Rituals of Retribution*, 235. See Evan's quote from volume 1 of Paul Anselm Ritter von Feuerbach, *Aktenmäßige Darstellung merkwürdiger Verbrechen*, 2 vols. (Giessen, 1828-9), 202, 54-96, 156-70, 171-85, 186-202.

⁸³ Feuerbach, *Merkwürdige Criminal-Rechtsfälle*, 30.

widows, “honorable” maidens, fallen women, and “disreputable, loose women” or even women a rapist believed to be “loose for good reason.” Originally, according to these laws, a man could press charges for his victimized wife or a father for his daughter, but a woman could not press charges for herself. Eventually a woman could bring charges, apart from the man whose responsibility she was. As property became a liberal basis for civil rights, it became a protected right, but it was not always extended to women.⁸⁴

In contrast, Feuerbach accorded these property rights to females as part of their natural rights and argued that rape injured a victim’s right to her personhood and the property of her body. Feuerbach’s code accorded rights (including property) equally to all citizens. As a result, the gender, status, and moral reputation of the victim were no longer factors that determined the degree to which sex crimes were considered illegal and deserving of punishment. Under Feuerbach’s code, a “morally disreputable” woman who had been raped could no longer be denied legal protection on the grounds that she had no honor to lose and because no male had lost any value in property. She now had the right to bodily integrity and self-determination of action. Since positive law under Feuerbach provided for all cases in which a crime was committed, the social status of the victim and that of the perpetrator no longer determined the legal punishment.⁸⁵

While Feuerbach’s reforms theoretically could benefit a female’s position before the law (at least for a couple decades), Krafft-Ebing’s focus on categorizing criminals and their crimes, and not the victim, would influence later criminological experts studying Lustmord. In all twelve editions, Krafft-Ebing’s footnote to the word “Lustmord” gives

⁸⁴ Isabel V. Hull, *Sexuality, State, and Civil Society in Germany, 1700-1815* (Ithaca: Cornell University Press, 1996), 340, 350-52, 357.

⁸⁵ *Ibid.*, 352-53.

references to relevant legal literature pertaining to sex crimes. One reference alludes to a report published by the Prussian Supreme Court (*Kammergericht*) in the *Annalen der Gesetzgebung und Rechtsgelehrsamkeit in den Preussischen Staaten, 1788-1809*, edited by E.F. Klein, of a deadly rape of a sixteen-year-old girl, Anna Rosina Bandelowsky by a thirty-year-old shoemaker Johann Michael Scholz. Incidentally, even though Krafft-Ebing clearly stated that only cases in which the perpetrator intentionally murdered out of lust—not simply to hide his crime—should be considered a Lustmord, this case from 1793 did not fit this criterion. The perpetrator did not immediately murder his victim only because she did not know who he was. He asked her if she knew who he was and when she answered no, then he said, if she had, then he would have had to kill her. According to the legal report, Bandelowsky was returning to her village with another girl, after she had been sent out on an errand by her parents, when Scholz attacked her. The other girl fled and by the time Bandelowsky’s father and another man reached Bandelowsky, she had been assaulted. She cried out to her father. The report was made from the perspective of Bandelowsky who survived for some sixty hours after the attack and consciously suffered horrendous pain in the presence of her parents until she died. According to the autopsy report, when Scholz found out that he could not rape her as she was a virgin, he severely injured her in multiple places using a knife.⁸⁶ Although Krafft-Ebing could have included cases from a victim’s point of view, each of his cases centered on the male perpetrators of Lustmord.

⁸⁶ E.F. Klein, ed., “Gutachten der Criminal-Deputation des Cammergerichts wegen der von dem Schuhmacher Johann Michael Scholz an der Anna Rosina Bandelowsky verübten tödtlichen Nothzucht,” in *Annalen der Gesetzgebung und Rechtsgelehrsamkeit in den Preussischen Staaten, 1788-1809*, 10 (Berlin: Stettin, 1793): 176-208.

In fact, this exclusive focus on the motivation of criminals at the expense of the victim was of course characteristic of modern criminology. German-born Hans von Hentig would be one of the first criminologists to establish the field of victimology, when he attempted to establish a typology of victims beginning in the late 1940s. Unfortunately, Hentig's classification of victims had mostly negative implications for victims, by theorizing that victims, because of their acts or behavior, were responsible for their victimization. Modern studies of victimology have repudiated the work of its early founders.⁸⁷

Georg Ilberg's Medical Understanding of Lustmord

Georg Ilberg, assistant medical director of the Saxon mental hospital in Großschweidnitz, published an article, "Über Lustmord und Lustmörder," in Gustav Aschaffenburg's *Monatsschrift für Kriminalpsychologie und Strafrechtsreform* in 1905. At the beginning of his article, Ilberg explained that he first became interested in the subject of Lustmord because of a sensational case in Berlin in 1904. He recounted the case of a pimp by the name of Berger who violated, choked, and dismembered an eight-year-old working-class child. Her dismembered body parts were found in the city's canals and Spree River over a series of days. Ilberg cited the article "Der Fall Berger und die ärztliche Sachverständigentätigkeit" by Dr. Leppmann published in 1905 as the source of his knowledge about the case. The case of Theodor Berger has received recent scholarly attention from historian Peter Fritzsche.⁸⁸ Fritzsche's fascinating analysis relies

⁸⁷ Harvey Wallace and Cliff Roberson, *Victimology: Legal, Psychological, and Social Perspectives*, 3rd ed. (Boston: Prentice Hall, 2011), 10.

⁸⁸ Peter Fritzsche, "Talk of the Town: The Murder of Lucie Berlin and the Production of Local Knowledge," in *Criminals and Their Scientists: The History of Criminology in International Perspective*,

primarily on newspapers, but does not refer to these journal articles by Ilberg and Leppmann. Interestingly enough, the case had captured Ilberg's attention and prompted him to write a lengthy study on Lustmord that would establish him as one of the foremost experts on the topic.

Ilberg began his article by pointing out that, "although one reads often in the press of similar killings in which the victim's sexual parts are injured through rape and the press suspects that these incidents are cases of Lustmord, in court medicine, one only speaks of Lustmord if the motive of the killing is the manifestation (*Betätigung*) of a degenerate sexual drive." Ilberg claimed that he drew on a few cases from his own practice, in addition to files provided courtesy of the royal office of public prosecution in Saxony and the administrative body in charge of the prison in Waldheim. However, he also cited many examples from contemporary journal articles. He divided the legal cases he studied into six categories. The first category included cases in which the killing of a person takes the place of coitus. The second included cases in which the victim is killed and the partially or fully dead individual is indecently treated or raped. The third included cases in which during or after (a forced or not forced) coitus takes place, the raped person is killed. Ilberg believed that only seldom was killing carried out in these cases and that as a rule these cases of so-called Lustmord are not murder, but rather killings out of lust (*Lusttötungen*). In the fourth category, Ilberg argued that often in such killings in which rape occurs, the motive is not the manifestation (*Betätigung*) of a sexual drive. He stated that many times the killing of a person who has been raped has nothing to do with the sex drive. He recognized that it was especially difficult to determine this

ed. Peter Becker and Richard F. Wetzell (New York: Cambridge University Press, 2006), 377-98. In Fritzsche's account, Berlin was a nine-year-old girl.

because it is often very doubtful that the motive that the perpetrator concedes is true. In the fifth category, Ilberg placed examples of anomalous cases from his collection of cases. Regarding the sixth category, Ilberg stated that when making a psychological judgment of sexual criminals, it is important to note that some of them first became mentally ill in prison.⁸⁹

Some of Ilberg's cases of Lustmord came directly from Krafft-Ebing⁹⁰ such as Jack the Ripper, Verzeni, Gruyo, Vacher, Bichel, Grassi, Menesclou, and Tirsch, but Ilberg more explicitly explained what he saw as the significance of each case. He also occasionally returned to the original sources that Krafft-Ebing had cited in order to make a different point. He gave examples of cases in which alcohol was involved, when killing followed rape,⁹¹ rape followed killing, rape had taken place before and after killing, or one in which it was difficult to tell when the rape had taken place. He thought, however, that rape that was followed by killing out of wild lust or greed (*Gier*) occurred most often. He also gave an example of cannibalism.⁹²

Ilberg pointed to the role of impotence in these cases: "Many times we have seen that the occurrence of impotence (the penis becoming limp, the delaying of the erection and ejaculation, and presumably also sometimes the complete inability), causes the rage

⁸⁹ Georg Ilberg, "Über Lustmord und Lustmörder," *Monatsschrift für Kriminalpsychologie und Strafrechtsreform* 2 (April 1905-March 1906): 597.

⁹⁰ Others cited Krafft-Ebing's examples and cases directly and less critically. See for example, Freiherr v. Notthaft, "Sadismus und Lustmord," *Heilkunde* (1907): 190-92; 232-34; 262-63 and Heinrich Gräf, "Über die gerichtsärztliche Beurteilung perverser Geschlechtstriebe," *Archiv für Kriminal-Anthropologie und Kriminalistik* 34:1 (1909): 45-122.

⁹¹ In 1904 Paul Näcke challenged the possibility of post-coital sadism that had been advanced by other contributors to Han Gross' *Archiv für Kriminal-Anthropologie und Kriminalistik*. He did not believe that a Lustmord could occur, in which murder occurred after coitus out of purely sadistic motivation, because he believed that "orgasm is always conciliated after coitus." Paul Näcke, "Zur Psychologie des Lustmords," *Archiv für Kriminal-Anthropologie und Kriminalistik* 17 (1904): 170.

⁹² Ilberg, "Über Lustmord und Lustmörder," 598-606.

of the greedy assassin to heighten to horrible acts.” He explained that “even encountering a mechanical hindrance to carrying out and completing coitus could trigger horrible cruelties.” Here Ilberg gave an example taken from an article by a judge in Düsseldorf about a case near Koblenz from 1882. A married family man by the name of Johann M. could not get his penis to penetrate a girl’s not yet developed vagina. He then used a knife to widen her vagina to her rectum. He stopped her screams by stuffing her mouth with earth and then he cut her throat. (He was first given a death sentence, but thereafter granted life-long imprisonment because it was determined that he suffered from amnesia. He had suffered from a head injury as a child and he suffered sometimes from spells of dizziness and oftentimes from headaches). Ilberg also explained that “many times we have seen that when coitus is not successful or possible, the killing of the victim is not enough” for a perpetrator and the victim will also be mutilated.⁹³

Ilberg gave many examples of different kinds of gruesome cases in order to show that very few cases were actually Lustmord or lust killings (*Lusttötungen*)—that is, the manifestation of a degenerate sex drive. Ilberg made the same distinction as Krafft-Ebing had—that is, that when a perpetrator has killed his victim in order to silence the witness of his crimes, this act should not qualify as a Lustmord. In the three examples that Ilberg provided, in which the perpetrator killed his victim because he feared being caught and punished, each of the perpetrators received fifteen years for manslaughter, rather than the death penalty or life imprisonment as in some of Ilberg’s other types of cases. (However, in these three cases, the perpetrators had a record of previous crimes, but it appears that because they never confessed to their crimes, they were granted more leniency).⁹⁴ Ilberg

⁹³ Ibid., 606-07, 608.

argued that murders that appeared to be sexually motivated were not necessarily sexually motivated. Here he gave an example in which a perpetrator committed murder motivated by theft (*Raubmord*), but in the process of carrying it out, the thought of rape had occurred him. Ilberg gave other examples in which the deaths or murders of children appeared sexual, but in reality were not. In one case, the well-known Prague Professor von Maschka (whose other writings Krafft-Ebing had cited), determined that a supposed victim of attempted rape had actually drowned. In another case that came before a Dresden district court, a mother murdered her daughter and attempted to make it look like Lustmord because her previous attempts to escape from her husband and to protect her child had not succeeded. Ilberg also believed that cases of Lustmord could occur in which the perpetrator's mental illness had set in later as an adult.⁹⁵

Ilberg drew on Krafft-Ebing's understanding of sadism and agreed with Krafft-Ebing, as would other experts looking at Lustmord, that "normal" individuals in love scratch, wrestle, and bite, but sadists were more extreme.⁹⁶ Ilberg noted that sometimes for sadists, cruelty is a substitute for the sex act. He noted that in most cases of sadism, a man commits sadistic acts against a woman, but he can also commit such acts against a child, an adult man, or also an animal. He also agreed with Leppmann that, "sometimes at the beginning of puberty sexual stimulation occurs [for some], but their later sex life develops normally through sadistic acts and fantasies."⁹⁷

⁹⁴ Ibid., 609-11.

⁹⁵ Ibid., 612-14.

⁹⁶ See for example, Heinrich Gräf, "Über die gerichtsärztliche Beurteilung perverser Geschlechtstriebe," *Archiv für Kriminal-Anthropologie und Kriminalistik* 34:1 (1909): 45-122.

⁹⁷ Ilberg, "Über Lustmord und Lustmörder," 617-19.

As for judging the mental health of a perpetrator, Ilberg strongly believed that one should not judge the mental health and free will of a person that one had not personally examined. Moreover, he believed that the style of the crime should not determine sanity according to § 51 StGB, but rather the *personality* of the criminal. For this reason, it was necessary to conduct careful research into “the hereditary disposition, the past of the accused and that of his family, his mental development, his private life, his work life, his previous sicknesses (epilepsy!), his relationship to alcohol, his sexual life, and...whether his character and competence had changed from previously.” He continued, “The whole personality of the accused must be examined—intelligence, feelings, and activity of the will (*Willenstätigkeit*) since “only through long observation is it possible to determine the thinking, feeling, and acting of the person.” He believed that unsoundness of mind (*Unzurechnungsfähigkeit*) was clear in cases in which a person committed an act while unconscious, suffered from mental disturbance, or was intellectually or morally deficient (*schwachsinnig*). This deficiency could be born or acquired. Chronic alcoholic abuse, intoxication, epilepsy (full degeneration), or symptoms of other mental illness also signaled that a person was not of a sound mind.⁹⁸

Ilberg closed by stating that “No one would dispute that true Lustmord is one of the most unnatural and gruesome crimes that exist.” He believed that “if one is not speaking of mentally ill perpetrators, then Lustmörder are degenerate individuals on the basis of hereditary disposition, perpetual masturbation, or other unknown causes.” He believed that masturbation “led to the ruin of the body and soul when carried out in excess, beyond normal sexual satisfaction.” Ilberg agreed with what was laid out in Achaaffenburg’s *Handbuch der gerichtlichen Psychiatrie* (which was still in the process

⁹⁸ Ibid., 619-20.

of being written), that the presence of sexual hyperesthesia (abnormally heightened sex drive) or paresthesia (abnormal sex interest) in a Lustmörder does not indicate mental illness. (This same conclusion had been reached at Vacher's trial). He also observed that, for degenerates, alcohol use is "most dangerous," whether a lot or a little.⁹⁹

The extreme importance that Ilberg attributed to determining whether a murder case was a case of Lustmord characterized the seriousness many experts felt who were involved in deciding criminal cases in the late-nineteenth- and twentieth-century. For instance, since the German legal system defined crimes based on motivation, legal, medical, and criminological experts carefully attempted to discern whether a murder had been motivated by lust (*Lustmord*), theft (*Raubmord*), or superstition (*Aberglaube*).¹⁰⁰ As Ilberg's legal cases show, Lustmord was considered murder (*Mord*), but rape, followed by the killing of the victim—even if it was to silence the witness—was considered manslaughter (*Totschlag*). Although to the untrained eye these might appear to be very similar crimes, the latter was punished much more leniently—fifteen years in the cases above since the crimes were not considered to have been premeditated, rather than life imprisonment or the death penalty for premeditated murder.

Erich Wulffen's Legal Concept of Lustmord

⁹⁹ Ibid., 621-22.

¹⁰⁰ On Lustmord versus Aberglaube, see for example, Baumgarten's citation of Gross' emphasis on correctly making this distinction. Anton Baumgarten, "Die Beziehungen der Prostitution zum Verbrechen," *Archiv für Kriminal-Anthropologie und Kriminalistik* 11: 1 (1903): 30 and Erich Wulffen, *Der Sexualverbrecher. Ein Handbuch für Juristen, Verwaltungsbeamte und Ärzte* (Berlin: Langenscheidt, 1910).

In his handbook from 1910 for jurists, administrative officials, and physicians, *Der Sexualverbrecher. Ein Handbuch für Juristen, Verwaltungsbeamte und Ärzte*, Erich Wulffen defined Lustmord the same way as Ilberg had—that is, as the manifestation of a degenerate sex drive. Wulffen agreed with Ilberg about which kinds of crimes constituted a true Lustmord and drew on many of Ilberg’s cases and several of Krafft-Ebing’s. Wulffen’s handbook also contained photographs from Vienna and various parts of Germany of victims and perpetrators of Lustmord, body parts used for cannibalism, and a new technique using criminal photography that was used to identify a perpetrator by the teeth marks left on the body of his victim.

In contrast to the legal punishments meted out by Saxon courts in the cases mentioned in Ilberg’s article, Wulffen wanted to clarify foremost that according to the German legal statute § 211 StGB, Lustmord did not qualify as murder since it was not carried out with forethought and consideration (*Überlegung*), but rather out of pathological affect. He believed that according to § 212 StGB, Lustmord should be considered manslaughter. Wulffen pointed out that court physicians were usually not “juridical enough” to correct criminalists. Wulffen also made the distinction that killing motivated by robbery, hate, fear of being discovered, or negligence followed by rape did not constitute Lustmord, but rather “Mutilation of corpses” (*Leichenschändung*)—a subcategory that had been established by Krafft-Ebing.¹⁰¹

In looking at the connection between epilepsy, alcohol, and the sex drive, Wulffen relied on the work of Krafft-Ebing. Wulffen stated that a person with epilepsy could have a minimal sex drive, but alcohol in small quantities could still have an effect. Conversely, a person with epilepsy could have a “powerful” sex drive; as “it is well-

¹⁰¹ Wulffen, *Der Sexualverbrecher*, 454, 459.

known that epileptics are often exhibitionists.” He pointed out that epileptics also have committed “sex offences, rape, Lustmord, mutilation of animals, pederasty, incest, and child murder.”¹⁰²

Although Krafft-Ebing, Ilberg, and Wulffen attempted to lay out clear legal distinctions for identifying a true Lustmord, there was still much uncertainty and debate over whether particular crimes could be truly identified as Lustmord and how the law should treat them. In the case discussed in the next chapter, court psychiatrists in Vienna could not decide whether a crime was in fact a Lustmord or not, even though Krafft-Ebing would have certainly regarded it as such. In 1910, Wulffen believed that Lustmord should be considered manslaughter according to German law with a sentence of only fifteen years imprisonment, (unlike the legal sentences mentioned in Ilberg’s article), since Wulffen believed that a perpetrator committed Lustmord out of pathological affect. In Vienna at the same time, however, medical and legal experts believed that Lustmord fit squarely in the category of murder according to Austrian law and doubted that affect could account for such a crime. The need to evaluate the personality of a perpetrator in order to determine his responsibility before the law, rather than falsely assuming that a perpetrator of a sadistic crime was automatically mentally ill, as Ilberg described, helps explain the expenditure of time and energy by experts in evaluating perpetrators of Lustmord. Wulffen’s description of contemporary psychiatric and legal beliefs about the relationship between epilepsy, alcohol, and the sex drive also helps explain why experts paid careful attention to evaluating the role of epilepsy and alcohol in sex crimes at the beginning of the twentieth century in Germany and Austria. In all three cases, Krafft-

¹⁰² Ibid., 227.

Ebing, Ilberg, and Wulffen focused attention on criminals, rather than victims in their studies of Lustmord. Although large photographs of victims of Lustmord took center stage in Wulffen's study of Lustmord, the centerfold-like images only figured as a gruesome and disrespectful public display of victims' naked, violated, and mutilated bodies—overshadowing the text and inescapable for the reader.

Chapter 3: The Case of Christian Voigt in Musil's Vienna (1902/1910-1913): The Moral Universe of an Intelligent Sex Murderer

A Sort of Introduction

Christian Voigt murdered Josefine Peer, an unemployed domestic servant and unregistered prostitute, in the early morning on Sunday, August 14, 1910, in Vienna around the same time that the city was preparing to celebrate Emperor Franz Josef's eightieth birthday. Later that morning, a homeless laborer, who was looking for a place to lie down on the grass, came across the gruesome sight of a brutally knifed, half-uncovered young woman's body lying under a bush in the Prater, the city's large public park. According to a medical report, the corpse showed visible marks of strangulation and over forty stab wounds. The largest slashes, which had been carried out with considerable force while the woman was still alive, included: a laceration that extended from the back of her neck to the middle of the front of her neck; two stab wounds on the front side of her chest that went through the heart; and two stab wounds on the left side of her back. The report also described the wounds inflicted after she had bled to death. Her nose had been sliced so that it lifted off from her face and her breasts had been raggedly cut and could be lifted away from the body. In addition, there was a deep slash from her pelvic diaphragm backwards to the sacrum, gashes in the small intestine and on the buttocks, and more than thirty-five slits in her stomach.¹⁰³ Authorities in Leopoldstadt immediately regarded the severely mutilated body as "without a doubt" having to do with

¹⁰³ Siegfried Türkel, "Der Lustmörder Christian Voigt: Ein kriminalistisch-psychiatrischer Beitrag zur Lehre vom Lustmorde," *Archiv für Kriminal-Anthropologie und Kriminalistik* 55, 1-2 (1913): 69-70. (This article has been reprinted in an edited volume by Peter Hiess and Christian Lunzer, *Jahrhundertmorde: Kriminalgeschichte aus erste Hand*, 1994). Wiener Stadt- und Landesarchiv (WStLA), Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 209, 259-60.

a “typical *Lustmord*”¹⁰⁴ and suspected the thirty-two-year-old Voigt as the murderer when it came to their attention that a man, who had previously committed Lustmord in Germany, resided in the area and now worked as a carpenter for the Donau Regulation Commission.¹⁰⁵ This murder case and subsequent trial would later form the backdrop for Robert Musil’s masterpiece *The Man without Qualities*, published in the early thirties, in which Christian Moosbrugger is tried for his sexual murder of Hedwig, a low-ranking prostitute. While Moosbrugger shares many qualities with Christian Voigt as Musil’s biographer Karl Corino has noted,¹⁰⁶ Voigt was originally from Bavaria, had actually been married with several children, had taught himself French, and was not at all shy with women.¹⁰⁷ By looking at the historical context of pre-war Vienna, this chapter helps explain why Musil was able to portray Moosbrugger so sympathetically.

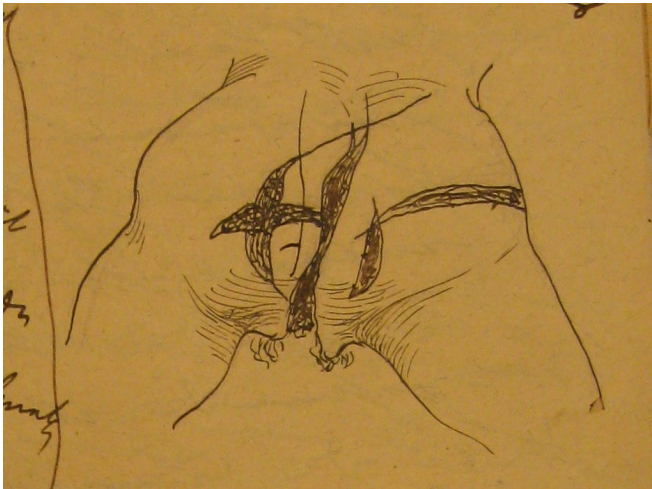


Figure 3.1. Drawing by court physicians Prof. Dr. Reuter and Dr. Meixner of wounds Peer sustained on her lower body.

Source: WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 187.

¹⁰⁴ *Illustrierte Kronen Zeitung (IKZ)*, August 16, 1910, 8; WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 4.

¹⁰⁵ *IKZ*, August 16, 1910, 9 and October 21, 1911, 2; WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 5.

¹⁰⁶ Karl Corino, “The Contribution of Biographical Research to the Understanding of Characters and Themes of *Der Mann ohne Eigenschaften*,” in *A Companion to the Works of Robert Musil*, ed. Philip Payne, Graham Bartram, and Galin Tihanov (Rochester, New York: Camden House, 2007), 300.

¹⁰⁷ Türkkel, “Der Lustmörder Christian Voigt,” 48, 49, 50.

Ein Exemplar 4 Heller. Illustrierte Monatlich 1 Krone mit Zustellung ins Haus.
 XL. Jahrgang Nr. 3817.

Kronen Zeitung

Administration: 1, Dammgasse 28, Tel. 13744.
 Redaktion: Wien, IX/1, Dammgasse 28.
 Stadtbureau: Schutzhofstr. 11, Tel. 7027.
 Wien, Mittwoch, den 17. August 1910.
 6. u. 8. Bd. 1890. 1. u. 2. Bd. 1891. Manuskripte werden nicht zurückgeschickt.
 Monats-Abonnement: für die Provinz (mit täglicher Beilieferung) 1 Krone 60 Heller.



Figure 3.2. Front cover of the *IKZ*, showing the murder victim, suspected murderer, and crime scene.

Source: *IKZ*, August 17, 1910, 1.

Upon finding significant material evidence against Voigt (including bloody fingerprints on the victim's pinafore, which the press hailed as another triumph for dactyloscopy), the police promptly identified him as Peer's murderer.¹⁰⁸ After initially denying the charge, Voigt confessed shortly thereafter.¹⁰⁹ On August 16, 1910, others confirmed Peer's identity for police investigators.¹¹⁰ The ensuing investigation revealed not only Voigt's criminal record of offenses for begging, vagrancy, and bodily harm, but also his previous sexual offenses. Voigt had been charged with the attempted rape (*Notzuchtsattentat*) of twenty-two-year-old Margaret Schilling in March 1902.

According to one report:

He attacked her in a field, threw her in a ditch, and tried to haul her into the woods by choking and beating her. In order to hinder her screams, he pressed her face to the ground, stopped her mouth with earth and exclaimed, 'You must go to the forest, and there I will make it nice for you' and 'I will kill you, if you are not calm.' Through the approach of passersby Voigt was prevented from committing further assaults against Schilling.

During the Schilling investigation, it came out that he had also preyed on a servant girl, Gams, attacking her by a bridge, choking her, biting her cheek, and then trying to throw her over the railing into the water.¹¹¹ Voigt's wife later reported to the asylum, "The seizures come only when he is very excited and he can commit the biggest deed and

¹⁰⁸ *IKZ*, August 16, 1910, 9 and October 21, 1911, 4; WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 5-6.

¹⁰⁹ *IKZ*, August 17, 1910, 5-6.

¹¹⁰ *IKZ*, August 17, 1910, 3; WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 6.

¹¹¹ Türkkel, "Der Lustmörder Christian Voigt," 50.

know nothing of it.”¹¹² After the Schilling case, psychiatrists assumed that Voigt was probably epileptic and they retained him in an asylum. However, he escaped from the asylum in Bayreuth in June 1902.¹¹³ Thereafter on September 3, 1902, Voigt committed his first sex murder. He attacked seventeen-year-old Ella Protovsky in Lauscha while she was bent down picking strawberries. He stabbed her in the jugular and she bled to death. Her autopsy revealed that she was a virgin. Apparently there were reports that “he tried to get near many different girls in such an impudent and violent way” and that many of them could only free themselves through force. Professor Otto Binswanger, director of the psychiatric clinic in Jena and a well-known expert on epilepsy, eventually concluded that Voigt had most likely committed the deed in a sick condition such that his ability to exercise his free will could be excluded (§ 51 StGB). As a result of this assessment, Voigt was interned again in the Bayreuth asylum.¹¹⁴

Authorities also learned that Voigt had first come to Vienna four years before when he had managed to escape from the mental asylum in Bayreuth using a self-made key on the night of 15 to 16 April 1906. He had worked in Vienna for the Donau Regulation Commission until Viennese authorities arrested him on May 18 after a postcard he had sent to a former physician revealed his whereabouts. The Lower Austrian district asylum returned Voigt to the asylum in Bayreuth on August 24, 1906. Eventually the asylum released Voigt as restored to mental health in the fall of 1909 after

¹¹² Ibid., 52.

¹¹³ Ibid., 51.

¹¹⁴ Ibid., 52, 53, 57. A more well-known former patient of Binswanger in Jena in 1889 had been Nietzsche.

having observed no signs of mental illness for two years.¹¹⁵ After spending a short time in Germany, Voigt intended to go to Constantinople but en route he decided to stay in Vienna when he again found work with the Donau Regulation Commission.

During the investigation of Voigt's murder of Peer, the psychiatrists of the Vienna district court Dr. Adolf Elzholz and Prof. Dr. Emil Raimann (both of whom had studied under Dr. Julius Wagner von Jauregg), attempted to discern whether Voigt had committed Lustmord or whether he had committed the crime either in an epileptic condition or with any epileptic affects. They felt that they could neither rule out with absolute certainty that Voigt had committed the crime in a semi-conscious epileptic state nor accept with absolute certainty that he had committed Lustmord without the presence of any epileptic affects (although they found much evidence of his having committed Lustmord) because of the tremendous difficulty of the case, including Voigt's previous medical history, his dishonesty, and his unwillingness to admit that he had epilepsy. Since they could not say for certain whether Voigt had been mentally ill or sane at the time of the crime, they requested an additional assessment from the medical faculty at the University of Vienna. They also charged extra for "the unusually large amount of time and effort that such an exceptionally difficult case required."

The experts from the medical school evaluated Voigt on three points: whether he had sadistic impulses or a normal sexual life; whether or not he was epileptic; and what his mental condition had been at the time of the murder. They concluded, but only by a majority consensus, that Voigt was "degenerate by birth, predominantly ethically defective with a particular inclination toward violence" and that he "certainly possessed

¹¹⁵ *IKZ*, August 16, 1910, 9 and August 17, 1910, 4; *WStLA*, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 5, 11; Türkel, "Der Lustmörder Christian Voigt," 57, 68.

sadistic impulses.” They also affirmed that it was probable that Voigt suffered from epileptic seizures, although no seizures or any other epileptic traits had been observed in recent years. They determined that Voigt showed no traits of mental abnormality or illness from degeneration and that there was no verifiable evidence to indicate that there was any concrete clouding of his consciousness at the time of the murder. They also felt safe to assume that if Voigt was under the influence of alcohol at the time of Peer’s murder, it would have generally increased both his sexual and emotional excitability.¹¹⁶ The two psychiatrists who testified during the trial on behalf of the medical school were none other than Dr. Julius Wagner von Jauregg, Krafft-Ebing’s successor, and Dr. Heinrich Obersteiner.

After the “especially careful psychiatric observations” by the court psychiatrists from September 1910 to February 1911 and the medical faculty from February 1911 to July 1911, the official indictment against Voigt from August 17, 1911 concluded that, although Voigt gave other motives for his murder of Peer, the condition in which her corpse was found and the personality of Voigt “leave no doubt that it was a Lustmord.” The indictment closed by repeating the conclusions reached by the medical faculty above.¹¹⁷

Voigt’s trial took place on October 20-21, 1911. When asked whether Voigt was guilty of having the intention to kill Peer by the way he stabbed her with a knife, which had lead to her death (i.e., murder) or whether Voigt was guilty of stabbing Peer in a hostile manner, whereby she perished, without having had the intention of taking her life

¹¹⁶ WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 228, 229; Türkel, “Der Lustmörder Christian Voigt,” 82, 96-97.

¹¹⁷ WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 264.

(i.e., manslaughter), the jury unanimously voted to convict Voigt of murder (§§134 and 135 StGB) rather than manslaughter. When ten of the twelve jury members voted against temporary insanity, the jury thereby sentenced Voigt to receive the death penalty.¹¹⁸ The defense attorney appealed for leniency, and the court gave the grounds for appeal and instructions on the right to appeal.

Although the public prosecutor Dr. Urbantschitsch had called for imposing the intended punishment according to §136 after the jury had voted, in private proceedings, he later stated that he had found “no grounds to press for aggravating circumstances and called for a pardon because of Voigt’s unfortunate, sad upbringing, his degenerate, ethically defective background, and especially since his consumption of alcohol before the crime had weakened his ability to exercise his free will and increased his sexual excitability.” In the event of a pardon from the death penalty, the prosecutor believed that “in consideration of the dangerousness of Voigt’s crimes, Voigt should instead receive a life long prison sentence (*schwere Kerkerstrafe*).” The court (*Gerichtshof*) under court president Dr. Ender agreed that in the event of a pardon Voigt should receive leniency based on the grounds stated by the public prosecutor, adding only that Voigt’s “sexual suffering” had also played a role. The court, however, unanimously recommended that in the event of a pardon Voigt should receive “the highest mercy, a prison sentence of twenty years (*schwere Kerkerstrafe*) with the possibility of periodic solitary confinement.” Voigt had not been aware of these proceedings. He and his defense attorney, Dr. Hugo Schönbrunn, filed a nullity complaint that was later rejected, but their subsequent appeal was successful. In February 1912, the Imperial and Royal

¹¹⁸ IKZ, October 22, 1911, 30; Türkel, “Der Lustmörder Christian Voigt,” 97; and WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 302-03.

Supreme Court (*k.k. Oberste Gericht*) and the Court of Appeals (*Kassationshof*) commuted Voigt's death sentence to life imprisonment, but added solitary confinement in a dark cell on August 14 of each year, that is, on the day he had committed the murder.¹¹⁹

In 1922 and 1923, Voigt's former wife attempted to make a clemency plea on his behalf, but was unsuccessful.¹²⁰ In the end Voigt served only eighteen years, nine months, and twenty-seven days of his life sentence before he was released with five years probation on December 19, 1930, from Garsten prison. After Voigt's probation had officially ended five years later, the Vienna district court inquired of the Nuremberg police about Voigt on February 21, 1936. The Nuremberg police reported that Voigt had lived at a Protestant mission house (*Landesverein für Innere Mission*), in a division for ex-convicts in Weiher near Nuremberg from December 1930 to March 1931. Then he worked at the Bodelschwingh'sche Anstalt in Lobethal near Berlin for two years. After that time he lived in Nuremberg at Mittlere Kanalstrasse Nr. 33/II and worked as a carpenter there. The Nuremberg police stated that they knew nothing further and raised no qualms about the end of Voigt's probationary period in their reply on March 12, 1936.¹²¹ According to Corino, Voigt died in May 1938 in Nuremberg at the age of sixty.¹²²

¹¹⁹ *IKZ*, February 23, 1912, 11; *WStLA*, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 307, 310, 328.

¹²⁰ *WStLA*, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 345.

¹²¹ *Ibid.*, 356-57.

¹²² Corino, "Contribution of Biographical Research," 305.

Sometime after Voigt returned to the asylum in Bayreuth in the summer of 1906 (after his first escape to Vienna) and sometime before his release in the fall of 1909, Voigt composed an essay entitled, “How I Became a Criminal.” This essay was later published in 1913 in Siegfried Türkel’s fifty-page journal article, “Der Lustmörder Christian Voigt: Ein kriminalistisch-psychiatrischer Beitrag zur Lehre vom Lustmorde,” which appeared in Hans Gross’s *Archiv für Kriminal-Anthropologie und Kriminalistik*. Türkel, a lawyer by profession, would later become the Director of the Vienna Criminalistic Institute in 1923 (the Viennese counterpart to the Criminalistic Institute in Graz headed by Hans Gross) and in 1929 Türkel was elected Vice-President of the International Criminalistic Academy, which he had co-founded.¹²³

Drawing on the essay that Voigt composed in the asylum in Bayreuth between his first and second sex murders, newspapers, and court and police records from Voigt’s trial in 1911 for his murder of Peer, and Türkel’s article, I analyze Voigt’s responses to his own criminal behavior. To the extent that it is possible, I reconstruct Voigt’s moral universe, i.e., his understanding of himself and his crimes in relation to society and the law, and explicate his legal strategies, i.e., why he presented himself as he did. I argue that despite his having spent time in psychiatric institutions for his previous sex crimes, Voigt attempted to portray himself as intelligent, sane, morally good, and sexually normal. In the essay written between his first and second sex murders, Voigt attempted to blame society for his crimes and prove that he should be released from the insane

¹²³ “Death of Dr. Siegfried Türkel [sic],” *Journal of Criminal Law and Criminology* 24:2 (July-August 1933): 455-56. Türkel was initially interested in the philosophical foundations of penal law and the psycho-legal problems of criminal responsibility, but he later pursued clinical research in forensic medicine and psychiatry to supplement his theoretical background. While Türkel’s article provided a well-researched, comprehensive report of Voigt’s personal biography and medical history based on the medical assessments from the case shared by Voigt’s defense attorney, Dr. Hugo Schönbrunn, it did not provide a transcript of the actual trial itself.

asylum. He argued that he should not be held legally responsible for his crimes. However, at his trial in 1911 for his second sex murder—contrary to prevailing legal strategies in pre-war Vienna—Voigt did not wish to avoid legal responsibility for killing Peer by pleading temporary insanity.¹²⁴ The reason he did not attempt to make an insanity plea was that he had no desire to return to an asylum, even at the risk of receiving the death penalty. Instead, Voigt rejected being identified as having been mentally ill or as having had sadistic impulses since he believed that he should be convicted of manslaughter for killing Peer, rather than murder. He wanted to explain what he considered to be the mitigating and unforeseen circumstances that had led him to kill Peer. For these reasons, Voigt argued that he had not committed Lustmord—that is, that he had not murdered Peer in order to gratify abnormal sexual desires. Moreover, Voigt hoped for sympathy from his audience, despite his background of sex crimes and vagrancy. However, he did not want Peer or the other female prostitutes, Rosa Kustor, Wilhelmine Schöpp, and Juliane Scherer, who testified against him at the trial, to have their voices heard. Although he did not want to be viewed as a sexually deviant male, he judged these women based on their deviant sexual behavior as prostitutes and although he portrayed himself as a lover of truth, he tried to undermine their credibility as reliable witnesses. In his clemency plea in the spring of 1922, Voigt defended himself in much the same way as before. He also expressed his desire to return home to work and help his

¹²⁴ The following examples taken from the work of Daniel M. Vyleta suggest that Voigt's desire to not plead momentary insanity was contrary to prevailing legal strategies at the time in pre-war Vienna. Daniel M. Vyleta, *Crime, Jews and News: Vienna 1895-1914* (New York: Berghahn Books, 2007), 137, 149, 157.

family, but regarding his murder of Peer he wrote, “I am sorry, but I must say again, that the victim is at least as guilty as me.”¹²⁵

Despite Voigt’s lack of education and working class background, Voigt attracted attention and, to some degree, even sympathy from the wider Viennese public and prominent German and Austrian professionals for a number of reasons. First, since the end of the nineteenth century, and especially during the first decade of the twentieth century, psychiatrists, criminologists, and jurists had become increasingly interested in the link between criminality and individuals with borderline mental abnormalities, i.e., those considered neither fully sane nor insane.¹²⁶ Psychiatrists, criminologists, and criminalists were also fascinated with trying to understand to what degree biological and environmental factors led to criminality.

Second, there was a major debate between the “classical” and “social” (or “modern”) schools of jurisprudence. The first school believed in moral retribution as the purpose of punishment while the second considered the protection of society to be the primary reason behind punishment. Advocates of the latter school (including jurists, psychiatrists, criminologists, and criminalists) were concerned with taking into account the social background of the criminal in order to determine individualized preventative

¹²⁵ WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 343.

¹²⁶ German psychiatrists’ strong interest in ‘borderline’ disorders beginning in the 1880s was a result of French psychiatrist Bénédict-Augustin Morel’s influential ‘degeneration theory.’ Richard F. Wetzell, “Psychiatry and criminal justice in modern Germany, 1880-1933,” *Journal of European Studies*, 39:3 (2009): 273, 281, 284. Eric J. Engstrom, *Clinical Psychiatry in Imperial Germany: A History of Psychiatric Practice* (Ithaca: Cornell University Press, 2003), 194-98.

measures for criminals instead of simply basing punishment on whether criminals' acts had transgressed the law.¹²⁷

Third, the pardon from the death penalty that Voigt received in February 1912 can also partially be explained by the general agreement among experts and laity that the Austrian criminal code dating back to 1852 (based on earlier codes from 1803, 1787, and 1768) was in urgent need of reform. There was much debate at the time in the Habsburg Empire over the death penalty, the jury system, and most importantly, over diminished responsibility.¹²⁸ The outmoded code did not provide for cases of diminished responsibility. While the psychiatric community had come to believe that there existed no rigid line between sanity and insanity, according to the law, individuals could only be considered either sane (and therefore could be held legally responsible for their crimes) or insane (and therefore could not be held legally responsible for their crimes).¹²⁹

Fourth, in contrast to criminologists influenced by Lombroso's ideas of the born criminal—who would have been more prone to focusing on criminals' essential deviance—Austrian criminalists (i.e., forensic specialists) regarded criminals as rational participants in investigative and judicial processes, i.e., not anthropological, psychological or sociological 'other.' Trial reports from the most popular daily newspaper in pre-war Vienna, the *Illustrierte Kronen Zeitung (IKZ)* also reflected this shared assumption with Austrian criminalist thinking. Both believed that since criminal

¹²⁷ Theodore Ziolkowski, *The Mirror of Justice: Literary Reflections of Legal Crises* (Princeton: Princeton University Press, 1997), 219-20. See also Richard F. Wetzell, *Inventing the Criminal: A History of German Criminology, 1880-1945* (Chapel Hill: University of North Carolina Press, 2000).

¹²⁸ Ziolkowski, *Mirror of Justice*, 216, 218.

¹²⁹ Engstrom, *Clinical Psychiatry in Imperial Germany*, 197. Wetzell, "Psychiatry and criminal justice," 280-82.

rationality rather than biological determinism defined the criminal, by careful observation of the criminal it was possible to discern the truth necessary to bring him or her to justice.¹³⁰

Fifth, in the introduction to his article from 1913, Türkel deemed Voigt's case instructive for multiple reasons. After pointing out Voigt's previous sexual offenses and the numerous divergent medical assessments of his sanity, Türkel stated that "the psychological mechanism of Lustmord was, in many points, not yet fully explained." Writing two years after Voigt's trial, Türkel agreed with what Dr. Elzholz had pointed out in his earlier medical assessment of Voigt: "Not enough was known for certain about the pathology of the *Lustmörder* that one could claim to be familiar with all varieties of the manifestations of sadistic impulses." For this reason, Türkel found it "in the interests of psychiatric-criminalist research necessary to publish such a highly interesting case, not only given the different medical reports, but also because of their interesting contribution to the question of epilepsy, epileptic comas, and simulation."¹³¹ When Professor Binswanger sent the clinical records for Voigt's two court-appointed assessments at the psychiatric clinic in Jena (from the fall of 1902 and the winter of 1908-1909) for the legal investigation in 1910, he requested that the legal files be sent to Jena after the conclusion of the investigation for a short time "for purely scholarly purposes" since he considered Voigt's case as being of "great scholarly interest."¹³²

¹³⁰ Vyleta, *Crime, Jews and News*, 8, 9; Nancy M. Wingfield, review of *Crime, Jews and News: Vienna 1895–1914*, by Daniel M. Vyleta, *Austrian History Yearbook* 39 (2009): 220-21. See also Richard F. Wetzell, *Inventing the Criminal: A History of German Criminology, 1880-1945* (Chapel Hill: University of North Carolina Press, 2000).

¹³¹ Türkel, "Der Lustmörder Christian Voigt," 47-48.

¹³² WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 205.

This broader legal and criminological context—which refocused attention away from the crime and placed it on the criminal—not only helps explain why Voigt attracted widespread public attention at the turn of the century but also helps us understand that Voigt made his arguments at a moment of sociological, psychological, and legal uncertainty about criminality. By understanding how Voigt’s own self-justification and self-presentation are reflective of and shaped by those uncertainties, this case study reflects broader shifts in understandings of the individual and his/her relation to society and the law.

Especially because medical, criminal, and legal experts did not have a concrete understanding of the modern phenomenon of Lustmord, it was a relatively malleable concept against which identity could be constructed, defined, and contested in the face of modern developments of urbanization, industrialization, and secularization which had unsettled previous, more “traditional” ways of understanding oneself and one’s relationship to society. Voigt resisted the ways in which others attempted to explain his crimes by attempting to define his own social identity—that is, the way that others perceived him and his actions. By trying to present himself as a sane, morally good, and sexually normal man, Voigt defined himself and his criminal behavior in ways that ran counter to that of experts examining him. Yet, his concepts of sanity, morality, and normal sexual desire were gendered to some extent. He defended himself by trying to show how he conformed to gender expectations to neither be overly violent and sexually aggressive as a man nor overly irresponsible, easily dominated, or otherwise weak as a man. Furthermore, since Voigt wanted his voice to be heard and respected, he attempted to communicate in the language of those who had legal, medical, and penal authority over

him by presenting himself as a logical, rational, heterosexual, confident and self-possessed man. At the trial, not only did Voigt attempt to define himself in relation to the bourgeois, educated, elite men above him, but also in contrast to those he considered beneath him morally and socially—i.e., his female victims. In his clemency plea in the years following the First World War, Voigt also attempted to prove how if he were released early from prison he would *now* be able to properly take his place in society as a husband, father, and breadwinner for the sake of the women in his family. He also argued that the purpose of justice should consist not only in “crushing” but also in “reconstruction” and “to make a man” of him.¹³³

This chapter uses the case of Christian Voigt to make the following observations and arguments about pre-war Vienna. The ways in which medical and legal experts and the press handled Voigt’s case and the ways in which Voigt sought to maneuver within those confines demonstrates some of the limitations and challenges confronted by modernizing German and Austrian criminal justice systems, including how legal and medical experts handled a case of diminished responsibility before the law provided for it (by upholding the legal jury court process, barring the door to a return to an asylum, but ultimately granting a pardon). The cultural fascination and investment in determining legal responsibility (motivation and sanity) of the criminal (by focusing on his personality, behavior, childhood, head injuries, family history of mental illness, previous crimes, physical body and tattoos, personal biography, medical history, alcohol consumption, and sexual life) rather than the grievousness of the crime or the victims explains the relatively lenient and sympathetic culture of pre-war Vienna toward an intelligent repeat sex offender. Ironically, however, the case also shows that although medical and legal

¹³³ Ibid., 344.

experts placed a large emphasis on attempting to understand what they regarded as a new type of violent crime during the investigation and trial in order to determine which crime to convict Voigt of, and how to hold him legally responsible, they later deemed it completely irrelevant whether Voigt committed Lustmord or not since they attempted to pardon him after the trial based on his childhood background and his consumption of alcohol before the crime in combination with his borderline mental abnormalities. Lastly, the ways in which a perpetrator's attempt to define himself and his crimes counter to experts examining him (by claiming that he was neither an epileptic nor a sadist and that he was not to blame for his crimes), while at the same time drawing on more conventional notions about masculinity and femininity, honest labor, and life in a rural community, make apparent cultural sites and limitations of the contestation of individual identity during the late-imperial period.

Voigt's Essay "How I Became a Criminal"

Voigt's essay, "How I Became a Criminal," composed between his first and second sex murders, provides insight into the ways that Voigt attempted to construct, order, and communicate his understanding of his own moral world to others. In this essay Voigt hoped to justify his violent behavior to his physicians at the asylum in Bayreuth by claiming that the circumstances which led to his crimes were not his fault. The way in which he tried to do this was quite unusual, however. Despite only seven years of schooling and an impoverished background, Voigt attempted to make a sophisticated theoretical argument in order to justify the development of his criminal behavior. Yet, in actuality, Voigt based his "scientific" argument about why he should not be held legally responsible for his crimes to some extent on moral grounds.

Furthermore, even though Voigt did not want to be held legally responsible for his crimes, he did not allow himself to be regarded as mentally ill. Instead, Voigt hoped that he might persuade his listeners that his ability to give a rational explanation for his past behavior would prevent them from regarding him as mentally ill. Voigt preferred to be viewed by others as sane so that his complaints about the social injustice he had experienced, which he believed ultimately led to his being charged with or having committed criminal acts, would be heard. He also wanted to prove that he did not belong in an asylum and that his release would not endanger society. For these reasons, Voigt wanted to be seen as intelligent, sane, and morally blameless.

Voigt began his essay by declaring, “I believe that this question [how he became a criminal] can be answered today without metaphysics (*Metaphysique*), basing my argumentation on the reading of scientific literature and the exact observation of facts.” He proceeded to explain his own theory of criminality based on the ways in which the materials he had read corresponded to his own lived experience:

My opinion is that there are two main categories of criminals. The one belongs to those who carry out evil deeds with intent and deliberation and the other, to those who lack premeditation and reflection. In the meaning of penal law, that is—those who are responsible and those who are not responsible. Those not responsible must not always be temporarily or perpetually mentally disturbed (*geistesgestört*), even if it is on a hereditary basis, but rather they can also be afflicted with another type of defectiveness (*Defektuosität*). This, not in a legal sense, but rather in a psychological sense and attested to by other authorities as defectiveness, I am calling ignorance. Ignorance is not always the appanage (*Apanage*) of the unpropertied class, however I claim, that the larger part of wageworkers—by these I mean those without fixed employment—have not attained the average level of intelligence, which is absolutely necessary for life. Education and intelligence are also not always the privilege of the propertied class, however their pecuniosity favorably influences them.

In other words, someone who may not necessarily be mentally disturbed, but rather who is “afflicted” with “ignorance” should not be considered legally responsible for deeds carried out without premeditation or incapable of reflection afterwards. This problem of “ignorance” usually affects those without the benefits of wealth and education. The average wage worker who does not have fixed employment has not received the mental development necessary for life, even if, as Voigt went on to explain, that person had possessed the proper mental ability from birth:

The mental perfection of a person depends above all on this natural constitution. (Mental faculty and mental power [*sic*]). A person who possesses from birth the proper constitution of mental tools is capable of refining his culture of the mind (*Geisteskultur*) proportionally to the education at his disposal. These mental tools will stagnate that obtain no impetus from outside to develop. By this I want to say, that there are individuals of our race who have a proper mental disposition, who however are mentally deficient (*geistig minderwertig*). Their brain mass is almost idle, and the work they perform is instinctive to nature, without thought and consideration and wears the character of routine. There may even be adept professionals whose occupation borders on routine.

I would belong to this species (*Espèce*) of individuals.¹³⁴

¹³⁴ Türkel, “Der Lustmörder Christian Voigt,” 57-58. “Ich glaube diese Frage heute ohne Metaphysique beantworten zu können, basierend meine Argumentation auf die Lektüre wissenschaftlicher Literatur und die genaue Beobachtung von Tatsachen.”

“Nach meiner Meinung gibt es zwei Hauptkategorien von Verbrechern. Der einen gehören diejenigen an, die eine böse Handlung mit Absicht und Überlegung ausführen, der anderen jene, bei welchen der Vorsatz und die Nachdenkung fehlt. Im Sinne des Strafgesetzes die Ver- und die Unverantwortlichen. Die Unverantwortlichen müssen nicht immer, sei es auf hereditärer Basis, temporär oder perpetuell geistesgestört sein, sondern können auch von einer anderen Defektuosität behaftet sein. Diese, nicht im juristischen, wohl aber im psychologischen Sinne und von mehreren Autoritäten anerkannte Defektuosität bezeichne ich als Ignoranz. Die Ignoranz ist nicht immer die Apanage der besitzlosen Klasse, jedoch behaupte ich, daß der größte Teil der Lohnarbeiter—ich verstehe darunter solche ohne festes Arbeitsverhältnis—das Durchschnittsniveau der Intelligenz, welches unbedingt für eine weise Lebensführung notwendig ist, nicht erreichen. Die Bildung und Intelligenz sind auch nicht immer das Privilegium der besitzenden Klasse, obgleich die Wohlhabenheit dieselbe günstig beeinflussen.”

“Die geistigen Vollkommenheiten eines Menschen hängen vor allem von dessen natürlicher Beschaffenheit ab. (Mentale Fakultät und mentale Macht.) Ein Mensch, der die gehörige Beschaffenheit seiner Geisteswerkzeuge von Geburt besitzt, ist proportionell den Bildungsmitteln, die ihm zur Verfügung stehen, einer Veredlung der Geisteskultur fähig. Erhalten diese Geisteswerkzeuge von außen keinen Anstoß, um sich zu entwickeln, so werden sie stagnieren. Ich will damit sagen, daß es Individuen unserer Rasse mit gehöriger mentaler Anlage gibt, die dennoch geistig minderwertig sind. Ihre Gehirnmasse ist fast untätig, und die Arbeiten, die sie verrichten, sind instinktiver Natur ohne Denken und Überlegung und

Voigt argued that his “ignorance,” *not* the possibility of being mentally disturbed, was the reason why he should not be held legally responsible for his actions. Without education and the privilege of wealth, his mental faculties could never properly develop as a result of performing only routine wage-labor, despite his proper mental disposition from birth.

Indeed, the only people of whom Voigt spoke with real warmth and gratitude throughout the whole essay were the two “kind,” “trustworthy,” and “affectionate” physicians, who had fed and encouraged Voigt’s appetite for reading and learning at the asylum in Bayreuth, Dr. Kolb and Dr. Prinzing. Voigt explained later in the essay that he had acquired some of his ideas beginning in 1903 from *Vorwärts*, the first socialist newspaper he had ever read. (Upon Voigt’s request and with the permission of the government of Upper Franconia, Dr. Prinzing had brought the paper to him). Voigt acquired other ideas from critiques and extracts from Professor Auguste Forel’s works on ignorance, crime, and the connection between alcohol and crime in *Münchener Neueste Nachrichten*. Voigt reasoned that his ability to make a persuasive rational argument after having had the opportunity to educate himself for the first time under the care of these two physicians, in and of itself, must certainly have been living proof of his thesis. They had provided the necessary impetus for him to further develop his mental faculties.

After outlining his theory on criminality, Voigt went on to explain, “My bodily development was normal in comparison to my age, my mental development contrasted noticeably. A short biography and an outline of the social situation in which I evolved,

tragen den Charakter der Routine. Es kann sogar geschickte Professionale geben, ihre Tätigkeit bewegt sich dennoch in den Grenzen der Routine.”

“Dieser Espèce von Individuen gehörte ich an.”

are proof of my thesis.”¹³⁵ Voigt thus proceeded to narrate his life story in order to prove his case; he began with a very sad description of his childhood, then he explained why he had inadvertently come into trouble with the law, and ended with proof of how he had since changed for the better.

Born in January 1878 in Tettau, Bavaria, as the eldest of four children, Voigt recounted that he was only six years old when his father died in 1884. He explained that because of their poverty his family was evicted and housed in the basement of a parish hall. He had to begin work as a herdsman a year later in 1885 when he was only seven, but the way he was treated was “not the idyll of which the Junkers sing high praises.” The reality was much different, he claimed. He was often beaten after the livestock would sometimes trespass and cause damage since he often fell asleep, being so tired from other work. He explained that he had tried to run away, but was brought back “wholly in the grip of this small farmer.” He felt that through this work he was at least “of use to my mother in so far as she did not have to support me for a certain time.” Yet, “there was no pay and in the fall I was sent back to my family,” and he added bitterly, “Not one of these farmers supported me through the winter.” Voigt thus implied that he had experienced the psychological and physical burden of his family’s poverty, especially as the eldest.

Voigt went on to explain how having to work as a child had hindered his schooling, “School did not exist for me regularly; I was often exempted and often came to school without having done my assignment. With work from 4 a.m. to 9 p.m. this was also almost impossible.” In this way Voigt claimed that it was not his fault that he had

¹³⁵ Ibid., 58, 64. “Meine körperliche Entwicklung war normal im Vergleiche zum Alter, meine geistige kontrastierte mit ihm auffallend. Eine kurze Biographie und ein Abriß der sozialen Situation, in welcher ich evolvierte, sind Beweis meiner These.”

been deprived of even a rudimentary education. Voigt depicted the further powerlessness and resentment he experienced as a child from his teacher and priest since he claimed that they “treated me differently than my classmates, even though I needed great protection as a poor, unprotected being.” Voigt felt justified in his anger since, “During the catechism class at church, I was given the charge of going around with the collection box. Since I was wearing worn torn pants, I declined. For this I received a slap in the face before the eyes of my classmates.” He added indignantly, “Can you comprehend the humiliation I received in this place? I attended church not out of conviction but out of fear and shame.” In addition to the private shame of wearing torn pants, he harbored the anger of having felt unjustly and publicly humiliated. As an adult reflecting on his childhood, Voigt implied that all of his authority figures had wronged and failed him at a tender age—his father (through his absence and drunkenness), his mother (through her absence and inability to provide for him), his unfair employers, his teacher, and the priest.¹³⁶ Experts looking at Voigt’s case later did not deny that Voigt had experienced a sad childhood, but they did not believe that the story was as one-sided as he claimed since they had heard conflicting complaints about the young Voigt’s difficult behavior from his mother, teacher, and employers.¹³⁷

Voigt began an apprenticeship in carpentry and he “received a wage of one mark per week since the first days and so was the first help to my mother.” Voigt attempted to explain why he did not complete his apprenticeship. At the beginning of his third year in 1893, he did not receive his “modest wage” for two weeks in a row.

¹³⁶ Ibid., 58-59. See also *IKZ*, October 21, 1911, 3.

¹³⁷ Ibid., 48-49.

During these two weeks my mother could not give one piece of bread to me and with effort I found a way out of the embarrassing situation. When it did not work anymore, I applied to my master and requested money. On his refusal I reproached him for the passion for which he always had money [i.e., drinking]. But instead of money I received a beating. That was too much and I ran away.

Voigt reasoned, since he already had to fend for himself, he was not going to also endure an abusive situation—since *that* would be insane. Voigt implied that had it not been for this incident he would never have left Tettau and thereafter encountered the situations that permanently affected his life for the worse: “With the intent of looking for similar employment, without going too far from my homeland (*Heimat*), I came without complete training [in carpentry] into foreign surroundings. In other orderly circumstances I would probably never have left my hometown.”¹³⁸

Voigt went on to argue that his first major infraction of bodily harm¹³⁹ was a miscarriage of justice since he acted out of self-defense. He then went on to explain how this experience became for him grounds for his severe disillusionment with the law and a significant turning point for the worse once he was imprisoned. He said that he worked in Sternberg (present day Mecklenburg-Vorpommern) in the spring of 1897 with many other “non-natives,” including three north Germans. According to Voigt, the three came into conflict with the overseer and resented Voigt for not leaving with them. Voigt had the misfortune of finding work in Munich several months later and having to lodge with the same co-workers. He claimed that when he went to bed one night, they attacked him on the staircase and beat him bloody. In order to get out of their hands, he drew his pocket knife, swung it around, and (severely) hurt one of the three. Then he was later

¹³⁸ Ibid., 59.

¹³⁹ Voigt had previously been charged with eight to ten minor offenses for begging and vagrancy.

arrested. He received nine months in prison in Amberg even though the prosecution attorney had applied for two years. He explained how in his naïve innocence he had mistakenly placed his trust in justice:

I stood before the tribunal without giving a word of defense, believing in the just judgment of the judge. Moreover I could not defend myself because I was poor in thought with the naïve mien of a child. This judgment made a deep impression on my inner life (*Seelenleben*) and I could not make a correct conception of what justice is. I served this punishment in Amberg in collective imprisonment and today I can recognize the disastrous influence that living together with old criminals exerts on young people. The material of their conversation is exclusively the glorification of their deeds.¹⁴⁰

Not only did Voigt experience a sense of betrayal, but he was left feeling confused as to the meaning of justice in his youth.

In Amberg, Voigt claimed that he had helped a person beside him in the workroom who had had epileptic seizures every three or four days and that that was where he had learned what a seizure looked like. Later, by simulating epileptic seizures, he claimed, he was dismissed from military service in 1898. At about this time he also met “a porcelain worker out of which relationship in November 1898 a boy emerged. I married this worker later (1901).” He claimed that “the unjustly suffered punishment [i.e., his inability to advance in the military since he had a criminal record] and the material plight of the pregnant woman” were the reasons he tried to avoid service.¹⁴¹ However, Voigt’s statement is unclear as to whether he ever actually tried to support and return to his wife, Emma, during this time after he was released. In any case, he was convicted thereafter for damages and bodily harm by a local court in Bad Wildungen, but he denied

¹⁴⁰ Ibid., 59-60.

¹⁴¹ Ibid., 60.

causing the bodily harm “because we thirteen were in a stupor from alcohol.” After serving one year in jail, he said that he returned in August 1900 to Sonneberg and settled down with his new wife in 1901. While he claimed that, “the marriage was relatively happy,” he also contended that on account of his wife “the harmony was sometimes disturbed.” He explained that since he felt that he had been “incapable of fulfilling the needs that she appointed me” after an intense day at work, he slept separately and therefore there was “*Diskordanz*.” According to Türkel, the marriage was “relatively happy,” but his article has a footnote that states that Voigt’s wife did report that “when Voigt would have a fit of rage, he would also choke her, so she would have to flee from him.”¹⁴²

Voigt explained that although he finally was able to find fixed employment and residence in Sonneberg from 1900 to 1902, an employer failed to follow through on his end of a contract in 1902. Even though he and his co-workers had carried out the work “flawlessly,” the employer held back their wages. The trade court took their side, but there was no more work in Sonneberg. Even though there was an “excess demand for manpower,” he was “compelled” to look for work elsewhere since he “worked in a business that competed with the master carpenter.”¹⁴³ His inability to find work and thus stay in fixed residence contributed to what would come next.

He said that “through much effort” he came to Lauscha,” but his “situation worsened considerably” there. In Lauscha, he claimed, that not only did he receive a “considerably lower wage,” but his “living conditions were miserable.” He explained that since he was “worried about bringing the family a few marks home, I rented no

¹⁴² Ibid., 50, 61.

¹⁴³ Ibid., 61.

lodging, slept in a horse stall and lived scantily.” The “disastrous day came” on September 4, 1902 when he arose early with the sun, very hungry. He felt so much despair over his situation, since he was fearful of both eventually losing his work and of making himself disliked in a foreign place, that he handed over twenty-five pfennigs for schnapps. He claimed, “It fetched schnapps. It later fetched more schnapps and a lot without knowing from where it came. I drank it without ever having drunk it [before], it must have given the empty stomach a very pleasant feeling.”

Although it was only 10 a.m., he was incapable of work since he “found himself in circular movement,” and “lay in the wood drying room with an unusually high temperature.” He could not judge what effect the heat in the room might have had on his alcohol situation and he “did not know how he came out of this room.” His memory, he claimed, only began when “the blood of my victim, whom I had never seen before and whose outline I still can not imagine today, sprayed on my chest and face.” He reasoned that, “the wound must have been produced standing.” Then he “went about haphazardly and laid myself in the corner of the terrain.” When he awoke it was pitch dark and he tried to orient himself in the direction of the timber yard, but “I was without my coat and felt a pain in all of my limbs and a creeping fear. I knew that probably something must have happened, but could not know the deed in its sad entirety.” He buried some of his clothing since it stuck to his body and at 4 a.m. went to the cutting mill and slept under the circular saw table. He remained there all of Friday until early Saturday. He awakened twenty-four hours later, put on his coat, and walked in the direction of Steinach

when he was arrested and brought back to the Steinach prison office where he “first learned the full seriousness of my deed.” He added, “I also had my tools with me.”¹⁴⁴

Throughout the essay, Voigt held onto some sort of moral scaffold by which he could judge human behavior. According to Voigt’s coloring of his life story, others were at fault for their wrongful behavior toward him, but he had done nothing wrong. He had always attempted to act according to moral principles and responded in rational ways to the difficulties he experienced. He experienced so much poverty and injustice in his life; he did not receive the proper care, education, and opportunities that he should have. He was not to blame; it was not his truancy or difficult and irresponsible behavior that contributed to his lack of education and inability to complete his training as a carpenter. He had not intentionally committed offenses of bodily harm and vagrancy. It was not his fault that he could not find steady, paid employment. He explained how he had not really been a bad son, student, church member, apprentice, soldier, worker, husband, or father, as others might have regarded him. He had not shirked his duties as a man intentionally—he had legitimately tried to fulfill his social responsibilities as a man and he had certainly never intended to become a criminal. Rather, he had found himself in a series of unfortunate situations in which he had inadvertently gotten into trouble with the law—defending himself or trying to honestly provide for his family. With regard to the sex murder in Lauscha, in particular, he intimated that as a poor, itinerant underpaid worker he was forced into such dire straits in foreign surroundings such that he had the misfortune of accidentally becoming drunk and having little recollection of his deed. He portrayed himself as the unknowing victim of a nightmarish experience. Rather than

¹⁴⁴ Ibid., 62-63. Türkel noted that others reported that Voigt appeared calm and reasonable after the murder and in no way behaved in a way that would draw attention to him. Ibid., 52.

attributing his first sex murder to an epileptic seizure as some of his psychiatrists had, Voigt emphasized the role of alcohol and the economic, social, and geographic dislocation he had experienced. Since the murder was not premeditated and he could not remember it clearly, he did not think that he should be held legally responsible for it. He failed to mention, however, that this was not his first sex crime. (Although Voigt suggested in his essay that alcohol, but not mental illness, led to crimes for which he should not be held legally responsible, in actuality, alcohol consumption alone would not have exonerated Voigt for his first sex murder, only intoxication in combination with epilepsy).¹⁴⁵

Furthermore, Voigt wanted to prove that he was not unfeeling. In the addendum to his essay, Voigt described how he had suffered after the murder in Lauscha. He described the psychological toll the deed had taken on him after he was taken to the Meiningen district court for the murder of Protovsky:

After the deed I was abominably depressed and more and more, when I learned the size of my deed and did not see it. I heard in the investigation prison different rumors, even that of the suicide of my wife. I was in a lot of despair, banged on the window and writhed on the floor. The prison doctor who examined me, explained me as a simulator, which was a correct opinion, but I behaved as a despondent lunatic.¹⁴⁶

Although Voigt emphasized his horror at learning what he did without realizing it and the subsequent toll that his own emotional suffering took on him, throughout the essay he never actually expressed sorrow about the pain he had caused his victim.

¹⁴⁵ Christian Müller, *Verbrechensbekämpfung im Anstaltsstaat: Psychiatrie, Kriminologie und Strafrechtsreform in Deutschland 1871-1933* (Göttingen: Vandenhoeck and Ruprecht, 2004), 49-51.

¹⁴⁶ Türkkel, "Der Lustmörder Christian Voigt," 63.

Additionally, by explaining this lunatic behavior as a rational consequence of his despair, Voigt also denied the possibility of it having anything to do with mental illness. He never mentioned previous stays in mental asylums in the essay since he did not mention his previous sex crimes. After describing this psychological pain at Meiningen, Voigt went on to explain that he was taken from Meiningen to the psychiatric clinic in Jena and how “Here I played now a type of ,*va banc*’ [*va banque*] and feigned the two known seizures.” He returned to Meiningen with the “firm awareness, that one had never identified the deception even though a doctor was never there.”¹⁴⁷ He proudly described how he had been able to fool the psychiatrists into thinking that his simulated epileptic seizures were real. This time, however, Voigt gave no pragmatic reason for why he would have done so, aside from mischief.

Lastly, Voigt closed the addendum by explaining how despite the constant screaming and door slamming in the asylum day and night, his recovery was made possible through the care of the previously mentioned doctors who ultimately initiated and encouraged his self-education at Bayreuth. When Voigt was transported from Meiningen to the asylum in Bayreuth at the end of November 1902, he described not only the wretched conditions, but also how he “had occasionally horrible nights in which I saw my past occur, I then deteriorated into hysterical, crying fits and writhed like a despairing person on the mattress.” However, it was the physician over his section, Dr. Kolb, and the head physician, Dr. Prinzing, who earned Voigt’s trust and whom Voigt felt had “both occupied themselves a lot with the course my life was taking (*Lebengang*) and were to me trustworthy, affectionate doctors.” Then Voigt gave a long description of how they had provided him with the *Münchener Neuste Nachrichten* and *Vorwärts*.

¹⁴⁷ Ibid.

Another assistant doctor observed how Voigt had collected all of the foreign words and phrases out of these newspapers and how Voigt had begun “classifying them according to their origin or country.” So the doctor brought Voigt a French grammar book and other French literature. Voigt emphasized that this doctor “surprised him” but had probably seen that “I did not lack talent and ability.” Voigt described how difficult it was at first and how he himself had even wondered if he “was really mentally defective (*geistig defekt*).” It was especially difficult since he “did not even know the German language so well.” In spite of the “abysmal living conditions” he used his free time to study and read and even though he “progressed only with much difficulty,” he “had the love of learning, energy, and perseverance,” which allowed him to make progress nonetheless.¹⁴⁸

In September 1905 he said his physicians “succeeded in bringing me from the worst to the best section [of the asylum].” (Here he added that he learned “of the first ‘adultery’ of my wife, which I accepted without becoming enraged, since I ascertained that the rumors of suicide were false”). He requested another room in this “best section,” and even though it was still only the best for “third class,” Voigt explained, it was, however, very useful in order for him to be able to use his free time “to further educate himself.” Voigt thus ends the essay on a triumphant note of how he experienced newfound freedom through diligently educating himself. He closed with how he had successfully managed to begin a new life in Vienna after he had escaped from the asylum in Bayreuth in April 1906. He tried to defend his escape by explaining that he had only tried to escape after he had repeated his request in vain to be released.

He pointed out that, in Vienna, he worked “as the only carpenter” for the Donau Regulation Commission on Handelskai, “had twenty to twenty-five workers to instruct,

¹⁴⁸ Ibid., 63-64.

had the key to the tool shed, in a word, I was the technical leader and supervisor.” He argued that he “carried out my work to the fullest satisfaction of four engineers, under whose instructions I stood. I had, without a doubt, an established, permanent position and my leadership was very adequately conducted, and moreover my moral behavior gave no occasion for reprimand.” He continued, “Then came the fatal picture postcard, a *pièce d’amitié* that wrecked this hopeful future.” (Viennese authorities had arrested Voigt upon discovery of this postcard in 1906 and had returned him to the mental asylum in Bayreuth. Thereafter he wrote this essay). He ended by denying that he had ever given himself up to drinking in Vienna or even the appearance of it, despite what one of the medical reports may have claimed.¹⁴⁹

Perhaps only as an adult was Voigt able to recognize that he did not grow up with what others may have had, particularly through his interaction with the psychiatrists, legal experts, and the police who examined him and through his extensive travels in search of work (in Austria, Switzerland, and throughout Germany). Perhaps he thought that had he had the privilege, education, and care that those who had the power to examine him had had, then he would not be so different from them. As an adult he was able to give voice to his anger about the powerlessness he experienced as a child and that is partly why he did not want to experience powerlessness at the hands of medical and legal experts. Whether epileptic or not, he refused that identity; he did not want to be viewed as mentally ill and he wanted to be released from the asylum. Thus, he did not want to be considered insane for both psychological and practical reasons. Teaching himself French undoubtedly had been a moment of self-actualization for Voigt. He no longer had to question if he was “mentally defective” as the doctors had led him to

¹⁴⁹ Ibid., 65.

believe that he could possibly be. In Vienna, he also experienced the satisfaction of being able to find steady employment for the first time in his life. He felt that he had been able to receive adequate compensation for his technical knowledge and ability and that he had been trusted to supervise others.

Voigt desired to be viewed as sane, intelligent, and morally good, even if these aims came into conflict at times. Voigt had attempted to meet experts on their own terms by making a logical, intellectual argument to explain the development of his criminal behavior. If he could portray himself as sane, then he could blame society, rather than mental illness for his crimes. Voigt wanted to show how his lack of education and ability to fully develop mentally, given the desperate and harmful situations in which he found himself, had led to his criminal offenses. He also attempted to prove that his behavior and intellect improved, once he had the opportunity to educate himself under caring authorities. As proof of his progress, he pointed out how he had had “an established, permanent position” as a technical leader and supervisor, during which time his “moral behavior gave no occasion for reprimand.” This formative experience had been so important to him that he stated in his theory of criminality that most individuals who lacked fixed employment suffered from “ignorance.” But Voigt also attempted to show that he had never really done anything wrong in the first place; he tried to show that, at the very least, he had behaved only in self-defense, or at least rationally, in the difficult circumstances in which he had found himself. He implied that he understood a higher sense of justice, since, he argued, he knew that society was ultimately to blame for the economic and social poverty—in the form of family, work, church, school, the court, and

the military—that he had experienced in his youth and that had led to his criminal behavior.

However, his moral argument, which attempted to justify his previous behavior by proving that he had, in fact, behaved morally, undermined his argument to some degree that education was necessary to properly develop mentally—that is, to not become a criminal. In the essay he had shifted pretty much all of the moral responsibility onto others, which suggests that education had not really been necessary for him to distinguish between right and wrong. Though according to his own story, perhaps had he had the education and wealth necessary, he would not have fallen into unfortunate circumstances that got him into trouble with the law. This could possibly hold as far as his explanation for the first sex murder, since, according to Voigt, he had been in a bad situation when the murder “happened” to him. Yet, throughout the rest of the essay, Voigt had attempted to argue that it was not simply the fault of unfortunate, coincidental circumstances, but rather that of the authorities and society at large who had failed him. To be sure, all of the experts who encountered Voigt viewed him as intelligent. The medical faculty at the University of Vienna even expressed regret that “so intelligent a person could become a criminal,” but they still regarded him as “ethically defective.”¹⁵⁰ Perhaps unintentionally Voigt had argued just the opposite in his essay. He had possessed morals, but his intellectual abilities had not been able to fully develop because of what society had done to him. Two reigning psychiatric paradigms were in conflict: Voigt’s argument that he had been “mentally deficient” (*geistig minderwertig*) because of environmental factors reflected arguments put forth by Gustav Aschaffenburg, while the

¹⁵⁰ *IKZ*, February 23, 1912, 11; Türkler, “Der Lustmörder Christian Voigt,” 96.

medical school's belief that Voigt was "ethically defective" reflected those espoused by Emil Kraepelin.

Voigt's Legal Defense during the Investigation and Trial

During the investigation and subsequent trial for his second sex murder on October 20-21, 1911, Voigt claimed that he was sane, even at the risk of facing the death penalty for his crime because he did not want to be interned in an asylum. In an attempt to avoid the death penalty, Voigt argued that he had not committed murder, but rather manslaughter since he had killed Peer in an act of rage. Voigt argued that he had not committed Lustmord—that is, that he had not murdered Peer in order to gratify abnormal sexual desires. Instead he repeatedly explained during his arrest, investigation, and trial the reasons he believed that had actually led him to kill Peer. Presenting himself as a sane, rational man who committed manslaughter in the heat of the moment (rather than as an insane, *Lustmörder*) appeared to Voigt to be the only way that he could attempt to avoid both the asylum and the death penalty. To this end, his primary legal strategy took the form of positioning himself in relation to those putting him on trial and those he was accused of harming; Voigt wanted his Viennese audience to perceive him as a "normal" man, not overly sexually aggressive, and his victims as disreputable or otherwise untrustworthy "abnormal" women. However, Voigt's claims that he was telling the truth, that he had committed manslaughter, and that he had a normal sexual life ran counter to the views of those examining him and the women testifying against him.

In their official medical report from February 1911, the court psychiatrists Elzholtz and Raimann noted Voigt's responses to his previous sex crimes: in the case of Schilling, he claimed she had invented the violent story because she was afraid of her lover finding

out that she and Voigt had had intercourse; in the case of Gams, he denied it completely; in the case of Protovsky, he blamed alcohol poisoning; and in the case of Peer, he blamed rage. (Although he had consumed alcohol the night he killed Peer, he denied that he was in any way intoxicated when he had committed the crime, unlike in the case of Protovsky).¹⁵¹ He also denied the role of mental illness in any of the cases. But the court psychiatrists observed that Voigt claimed only now that he had purposely simulated the seizures in Jena in order to receive a milder sentence. They stated that Voigt explained that if he previously had been “a swindler,” now he must no longer be and that he did not want to be interned as an epileptic, but wanted to bear the responsibility for his deeds. They stated that Voigt spoke “with obvious smugness in the role of an apostle of truth” and asked: “Why should I sell my life for a lie?” In response to their question about when his “fanatic love of the truth” began, he explained that it dated back to his stay in the asylum in Bayreuth, where he read a lot and through which he had become a better person. He added, “Every lie in the life of society avenges itself like every lie in the life of the individual.” When they asked if it had not been better for him that he had spent time in the asylum than bearing the serious consequences of his deed, he responded that “materially it had been good, but not in the ideal sense,” because he “found it very unpleasant that as a healthy person he was a swindler” since “he had pangs of conscience about having falsified his nature.” Now he claimed that he “no longer wanted to be a deceiver, not even at the price of his life.”

But they also reported Voigt’s anger when they made it very clear to him that as a mentally healthy person, he would have to serve a death penalty because of the way he

¹⁵¹ WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 111, 213-14; Türkel, “Der Lustmörder Christian Voigt,” 90, 93, 94-96.

had committed the crime. He responded with a very serious expression, threw the investigating physician a hostile look, and held himself very erect and murmured something. Although Voigt had been otherwise calm and well-behaved during the entire five-month long observation, they doubted his newfound love for truth since they believed that his denial about the Schilling case revealed that his mendacious character, for which he had been notorious in his younger years, had not changed.¹⁵²

Toward the end of the report the court psychiatrists stated that Voigt presented his crime as “a paroxysm of rage in order to frame his bestial deed as favorably as possible and to try to ensure that he would get the mildest judgment possible.” They believed that since he did not have amnesia on the night of his crime, he did not try to use that as an excuse. They also believed that the reason that he was able to claim that he was not epileptic was because he could claim that for many years he had suffered continually from convulsive efforts and because he had shown no signs of epilepsy during the pre-trial observation. They assumed that “in spite of his exclamations to the contrary, as a result of his previous exculpation, deep down inside he expected that whatever happened, his crime would receive a mild judgment.” They thought that for these reasons he did not want to be considered an epileptic because he hoped to serve a quick prison sentence and because he foresaw that if he were interned in an asylum it would probably be for lifelong confinement.¹⁵³

Voigt feared not having a trial and being directly committed to an asylum more than the possibility of facing the death penalty. In a letter from July 7, 1911 to the office

¹⁵² WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 214-15, 220. Türkel, “Der Lustmörder Christian Voigt,” 75.

¹⁵³ WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 228.

of public prosecution, he wrote that after eleven months in detainment awaiting trial and ten months under psychiatric observation, he protested not against the length of his detainment, but against a psychiatric assessment that would deny his responsibility before the law and prevent his going before a judge. He argued that “although it appeared to be the case that the psychiatrists would consider him as having ‘psychological problems,’ it did not take a psychiatrist to determine during this long investigation that he did not have a mental illness.” He continued: “What is the psychosis of daily observation? The voluntary instruction for discipline.” (*“Welches ist die Psychose der täglichen Beobachtung? Die freiwillige Unterweisung zur Disziplin.”*) He claimed that he “followed the dictates of his conscience” when he explained to the office of public prosecution that “except for the one unlucky day nine years ago, his mental faculties were never altered” and that “how ever far one goes in the subtlety of psychology, one can not refuse to charge a wrongdoer, who knows he is responsible for his deed.” Writing his letter a week before the medical faculty at the University of Vienna would complete their assessment, Voigt hoped to ensure that he would be tried for his crime rather than being sent to an asylum. He tried in every way that he could to be considered capable of being held legally responsible for his crimes—by claiming not to be mentally ill, by claiming that he had not been inebriated the night he killed Peer, by behaving in a sane manner before the court and university psychiatrists, and by stating that he wanted to be held responsible for his crime.¹⁵⁴ Fortunately for Voigt, the university psychiatrists—for their own reasons—determined that Voigt could be held legally responsible for his crimes.

¹⁵⁴ Türkel, “Der Lustmörder Christian Voigt,” 75. WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 257.

Since Voigt wanted his voice to be heard and respected, he attempted to communicate in the language of those who had legal, medical, and penal authority over him by presenting himself as a sane, rational man who possessed the ability to express himself in a logical, educated, and self-confident manner. During the trial, Voigt was successful to the extent that the self-possession with which he carried himself, his clean appearance, the articulate way that he spoke, and the rational way that he reasoned did not escape the notice of the *Illustrierte Kronen Zeitung (IKZ)*, by far Vienna's most popular and populist daily newspaper, with a circulation of 100,000 in 1906 and 200,000 in 1912.¹⁵⁵ When reporting on the trial, the *IKZ* introduced the thirty-three-year-old carpenter's assistant as "a big, very strong grown man with a clean-shaven face and blond, close-cropped hair, whose striking features combine savagery with an intelligent expression... In fact, he is a person of ability, who acquired a certain education through self-instruction and a knowledge of the French language." The press remarked on his surprisingly "educated tone," by describing how "he speaks with a deep, euphonic voice and with an adroitness, assurance, and calmness like a man who has a position and who masters a topic by speaking with impartiality, seriousness and at times with a certain energy."¹⁵⁶ The *IKZ* also reported how at the beginning of the trial, "he answered with a very loud euphonic voice, firm and without excitement. He speaks with a deliberate expression in a southern German dialect and with emphasis like an actor. He allows small pauses between his sentences in order to look for his words and to let them have a

¹⁵⁵ Vyleta, *Crime, Jews and News*, 8, 74-75.

¹⁵⁶ *IKZ*, October 21, 1911, 2.

better effect.”¹⁵⁷ The illustrations of Voigt during the trial also depict him as a very calm, articulate, and rational man. In one image, his posture, facial expression, and hand gesture looks as though he is presenting his case adroitly, with sophistication and ease (see figure 3.4).¹⁵⁸ The press also found noteworthy the succinct way that Voigt designated his defense lawyer before the trial: “Dear Dr. Schönbrunn! I hereby appoint you as my defense lawyer. Christian Voigt.”¹⁵⁹

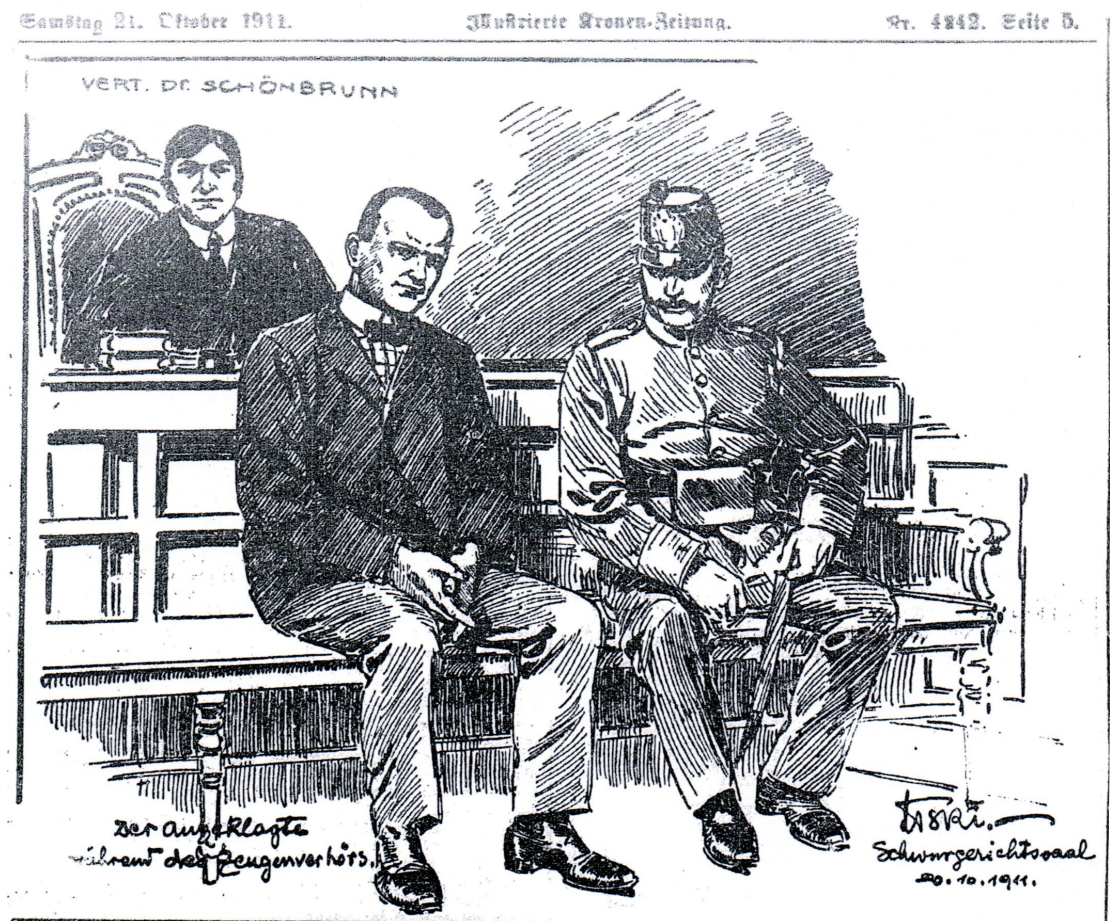


Figure 3.3. Voigt sitting calmly near a guard, in front of his defense lawyer, Dr. Schönbrunn.

Source: *IKZ*, October 21, 1911, 5.

¹⁵⁷ *Ibid.*, 3.

¹⁵⁸ *Ibid.*, 5, 6.

¹⁵⁹ *IKZ*, October 20, 1911, 11.

Moreover, the press did not fail to report how Voigt's witty demeanor had also amused the professionals present at the trial. At one point in the trial, Voigt even took a bow after the public prosecutor acknowledged that Voigt had a sense of humor ("*Humor hat er*") when Voigt sarcastically greeted the police inspector Hugo Weinberger, who had initially brought Voigt to the point of confession during the police investigation. Voigt had said politely, "I did not think that I would have the honor and satisfaction of seeing you here, *Herrn Kommissär*."¹⁶⁰ At another point, when Voigt uttered a comment against the psychiatrists, the judge commented to Voigt, "You always have something against the psychiatrists" and Voigt responded, "Yes, against the heritability of their stylistics." The psychiatrists greeted Voigt's laconic retort with amusement.

¹⁶⁰ *IKZ*, October 21, 1911, 5.

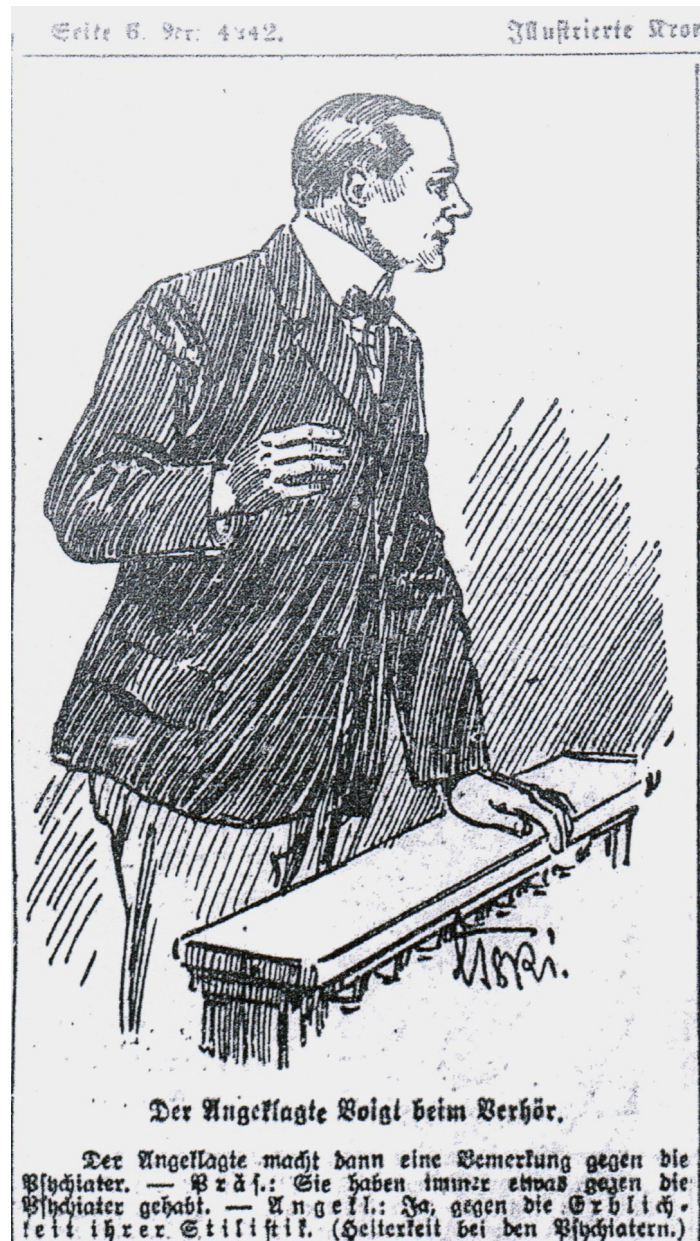


Figure 3.4. Newspaper illustration depicting Voigt's poise and wit during the court examination.

Source: *IKZ*, October 21, 1911, 6.

To be sure, although Voigt's audience was clearly impressed and entertained by Voigt's poise, his performance did not necessarily persuade them of his arguments. Rather, the *IKZ* carefully observed at which moments Voigt lost his composure during the trial and condemned Voigt's "cold-blooded," "brutal," and "gruesome" acts of

violence, even if it described them in somewhat sensationalizing ways. The *IKZ* neither portrayed Voigt as a “hero” nor as a “monster.” Instead, Voigt attracted public attention from the press precisely because of the curious combination of his having not only a violent or wild side, but also an intelligent, self-possessed rational side.

Although experts examining Voigt paid careful attention to his previous crimes, his personal biography, any head injuries he might have suffered or any other marks on his body that might indicate something abnormal, his family history of mental illness (a brother who was epileptic and a cousin on his mother’s side who was interned as insane), his tattoos on his forearms (an obscene picture of a woman on the right arm and carpenter tools on the left), his sexual life, and his history of alcohol abuse and voluntary abstinence, his behavior actually influenced the way that they viewed him. As in the case of the *IKZ*, they could not help remarking on the curious aspects of Voigt’s personality that impressed them as well as the less attractive sides of his character of which they disapproved. During the investigation the court psychiatrists had noted Voigt’s “friendly and respectful conduct” but they also had believed that through his good behavior Voigt wished to prove that “his whole past had been free of epileptic elements.” The court psychiatrists also noted that his previous physicians found it noteworthy that Voigt took much interest in political questions and declared himself in the course of conversation with them to be a Social Democrat or an anarchist. Dr. Wagner, the assistant medical director of the asylum in Bayreuth had noted Voigt’s devotedness to his mother, his previous care for his children, his ability to earn between six and seven crowns per day when he escaped to Vienna, and his preoccupation with reading, including scientific books, e.g. Darwin’s *La descendance*. Despite viewing Voigt as having a psychopathic

personality from birth, he credited Voigt's improvement to the orderly life of the asylum and his voluntary abstinence from alcohol in the asylum beginning in October 1904. Voigt began showing "noticeable self-control" in August 1904 and he even saved his money in the asylum in order to buy books and to give some money to his family. He also exhibited such "high self-confidence" that he occasionally treated physicians with "condescension." But when Voigt wanted to be released into freedom, they did not believe his assertion that "he deeply regretted his bloody deed."¹⁶¹

The report from the medical faculty also did not deny that Voigt was intelligent and that "his diction and style were far above those in his milieu." They believed that his ability to educate himself and to work competently in the last years meant that one could certainly not speak of his having an acquired mental weakness. Additionally, they did not think that he suffered from any delusional ideas, hallucinations, or any defect in memory. But the medical faculty did not hide their disapprobation of Voigt's "showiness," which they felt that they had to regard "as a matter of character rather than mental ability." They noted Voigt's "ostentatious speech," his deceptiveness, and the way that he used his self-taught knowledge "in the tasteless manner of a parvenu," especially his "grotesque showiness of using a foreign accent with pseudoscientific and pseudosocialist phrases" in ill-fitting ways. They noted his heightened sense of self and his opportunistic way of behaving as a good comrade to his colleagues and appropriately to his physicians. They also thought that the casual way that Voigt responded to his terrible crimes might indicate an abnormally heightened sense of self.¹⁶²

¹⁶¹ WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 109, 211-12, 217, 221, and 222; Türkel, "Der Lustmörder Christian Voigt," 48.

¹⁶² Türkel, "Der Lustmörder Christian Voigt," 86-87.

At the beginning of the trial, the judge asked Voigt to tell his life story. Voigt did so much in the same way as he did in his previous essay, emphasizing how his shoemaker father drank away all of his family's money before dying of tuberculosis, his orphan-like childhood living and working apart from his mother, his irregular schooling, and why he was not to blame for prematurely leaving his apprenticeship. He explained that when he was not paid by his employer and his mother had no food for him, he reproached his employer for drinking and not paying his people, but received a beating instead. He considered hunger *and* a beating to be too much and he ran away. In regard to the charges of begging and vagrancy, he claimed that he always worked in the summer and that his offenses only occurred in winter when it was hard to find work.

When the judge asked if these events had anything to do with Voigt's brutal character, Voigt responded that it was the unfair punishment he had received for the bodily harm of his co-workers in Munich that had led others to mistakenly believe that he was violent. He described how his co-workers had actually overtaken him, how he did not have a defense lawyer at the time, how he thought the judge would be able to see that he was not guilty, and the negative effect the punishment had had on him. He also explained why he had left the military after six weeks. He claimed that although he was happy to serve at first, later he realized that because of his criminal background he would not be able to advance. He claimed that he had thought to himself, "I no longer want to serve the state that treated me so unjustly." (He also claimed that he had always told physicians that he had simulated seizures in order to force the reopening of this case of bodily harm. But he also said that actually he had not fully simulated the seizures). He

finished by describing how he had no memory of the first Lustmord for which he had been charged and how he came to Vienna after his release from the asylum in Bayreuth. The ways in which Voigt portrayed himself as a victim of social injustice and the horror of a hapless circumstance had not changed, but this time he asserted his mistrust of the psychiatrists who, in the absence of epileptic elements had falsely concluded that he was sadistic in the medical school assessment.¹⁶³

When the judge asked Voigt to explain the events of that fateful night, Voigt shifted the blame onto Peer for inducing him to kill her. The Austrian criminal code took moral motivation into account, i.e., malice or evil intent, in determining to what degree the accused could be held legally guilty. An attempted crime could be punished even it was not completed, if there was evidence of evil intent behind the attempt to carry it out. This legal distinction that differentiated the Austrian code from the more recent German criminal code might explain the heightened emphasis placed on understanding Voigt's motivation for killing Peer at his trial since the jury had to decide whether Voigt had intended to kill her or not as well as Voigt's attempt to show how he had feared Peer's harmful intentions toward him while he claimed that he had had no harmful intentions toward her.¹⁶⁴

Voigt described how he headed towards home that night, but he wanted to lie down in the Prater for a couple of hours. He saw the outline of a person but he thought

¹⁶³ *IKZ*, October 21, 1911, 3. WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 279-81. Perhaps Voigt did not want to incriminate himself, so he did not wish to claim that he had simulated all of the seizures.

¹⁶⁴ Ziolkowski, *Mirror of Justice*, 236-38. Vyleta tells about a case in which a woman—whose ex-lover abandoned her after impregnating her, spent all of her money, and otherwise treated her badly—attempted to throw vitriol in his face, but instead he wrestled the jar from her and poured it on her face. Despite her subsequent disfigurement, she was charged with the attempt to cause grievous harm. Vyleta, *Crime, Jews, and News*, 156.

that it was only a hallucination at first and continued on further towards her. He claimed that she first spoke to him and that he had never approached a prostitute to pick one up. The *IKZ* reported that the judge interjected, “But you have intercourse with them?” Voigt answered, “Yes, but only when their flattery caused me to give in to my weakness.” He continued explaining how she did not appear to him as “a woman.” She gave him the impression that she was “a man in disguise” because of her “manly manner.” The *IKZ* further noted the amusement of the court when the judge asked, “But finally you were convinced that she was a woman?” In response, Voigt continued describing his encounter with Peer, trying to communicate how he had felt no sexual interest in her, much less, any desire to murder her, and how he had instead repeatedly tried to lose her. He explained that when she asked where he was headed, he said he was going home. She asked him to take her with him since she had just come out of the hospital and had no money and therefore was without shelter. He said that he could not, that he had no use for her, and that he had nothing to give her neither in this way nor in another respect. He claimed that he was afraid that she was not alone and that she had a protector, who was nearby. As he walked further, she followed him. He claimed that he had not slightest thought of killing her and that if he had wanted to kill her, then he could have done so there in the dark part of the Prater.¹⁶⁵

He explained that, to the contrary, he had “no feeling of a *Lustmörder*, to kill this caricature of a woman.” He said that it was around 2:45 a.m. When he walked further,

¹⁶⁵ WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 281; *IKZ*, October 21, 1911, 3. Since the transcript from the trial includes only Voigt’s responses, not the questions that the judge asked Voigt, I have taken the judge’s questions from the *IKZ*. As the *IKZ* version of the trial is slightly more theatrical than the original transcript, my analysis relies chiefly upon the transcript, unless otherwise indicated. The coverage of the trial by the *IKZ* is more similar to the transcript than that of other newspapers, however.

she went further along with him. He told her that she should not be so importunate; she had a cat-like flattery. He spat in her face in order to get her to go away. When that did not work, he went into a coffeehouse, but when he came out twenty minutes later, she was there and spoke to him again. She cried, saying that it was almost morning and he should take her with him. When he told her that that would not work, she meant for him to take her to another place. He told her he could not take her with him because he was accustomed to working early on Sunday at his workplace, but she followed him. He asked, “I am sick [with venereal disease], why do you pester me?” They came to the area near where he worked, and he tried to lead her to a ticket booth and leave her there, but once they were inside she blocked his way to the door. He told her to let him go. She moaned. He said that he felt pity for her situation but could not help her. He said that they spoke about her unpleasant situation, her tale of woe, her sickness, and her lack of means. He said that he had heard of such women who have something bad in mind.¹⁶⁶

According to the *IKZ*, the judge asked skeptically, “But you did not rid yourself of her?” Voigt explained how although he wanted to leave, she tried to persuade him to lie down with her, saying that it was almost day. He told her that he would not and that she could expect nothing from him, neither in a material way nor in another regard. But he let her persuade him and he lay down with her, hoping to leave once she fell asleep. When he believed she had fallen asleep, he tried to slip out, but she jumped up quickly and said, “You will not do that to me—you will not abandon me.” He tried to leave but since she was “very flattering,” she jumped and put her arms tightly around his neck, so that they stood body to body. This hugging did not appear to him to be “gallant.” He

¹⁶⁶ WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 282; *IKZ*, October 21, 1911, 3.

said that because of his venereal disease he was very weak and it was impossible for him to free himself from this hugging. He wrestled with her body against body and then he felt an object in her bag. He asked her what she had and she said it was scissors. He yelled, “Scoundrel, it is a knife!” before he pulled it from her bag and told her to let go of him or he would stab her. When she did not let him go, he stabbed her in the back. He said that the whole time before that moment he had “no intention of hurting or killing her.” He said that “it was the combination of many circumstances, but mostly because of the obstinate pursuit of the woman. For this reason, I must protest against the charge of murder. I only committed manslaughter.”¹⁶⁷

During the trial, Voigt claimed that he believed that the first stab had been lethal, (implying that it had been unintended to kill her). He explained that he was excited and thought that the knife had certainly been intended for him since Peer had pursued him. For this reason, he threw the woman out of the booth out of rage and blindly stabbed her in anger. Later he realized that he had destroyed another human life. But he thought the body could not remain there so he dragged it into the bushes so that it would be “more easily found.”¹⁶⁸

Voigt claimed that he viewed the twenty-year-old Peer as hardly feminine, “a caricature of a woman” who desperately clung to him in a way that was not “gallant” for a woman. He even portrayed her as masculine, mistaking her for “a man in disguise” because of “her manly manner” in order to show his lack of sexual desire toward her. He also saw her as overly sexually aggressive in her obstinate pursuit of him. In each of

¹⁶⁷ WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 282-83.

¹⁶⁸ Ibid., 283.

these ways, he insinuated that Peer had neither looked nor behaved properly as a woman. In contrast, he tried to defend himself by claiming that he was not at fault for approaching Peer, or any other prostitute for that matter. He also tried to show that he was especially not interested in her sexually because of his venereal disease and that he had repeatedly tried to lose her. Even though he claimed to have found her so unattractive, he found it difficult to resist her persistent pleas and even her flattery because of his pity for her situation. He claimed that her obstinate pursuit had led him to kill her to free himself of her. (In the protocol for the police, he said that he stabbed her because he thought that the knife was for him).¹⁶⁹ He also attempted to explain the extreme nature of the stabs by the rage he felt because he had believed that she had the intent to harm him with the knife.

Experts noted that Voigt's testimony during the trial differed slightly from that from the investigation and that reported in the indictment. During the initial investigation, authorities observed that Voigt wanted his murder to appear to have been committed in the heat of the moment and that his motive had been "his uncontrollable abhorrence for prostitutes" because ever since his venereal disease (from an unregistered prostitute) he had felt "a special hatred against women like Peer."¹⁷⁰ In the indictment from August 17, 1911, after his "loathing had increased to rage" and caused him "to stab Peer blindly," Voigt was said to have "stood by Peer for a half hour and felt no remorse." It was also reported that "in contrast, he [Voigt] hated the monster to the utmost and he looked at her and asked himself whether she was really dead and could not insult (*beleidigen*) any more

¹⁶⁹ Ibid., 113, 210, 263.

¹⁷⁰ Ibid., 6, 112.

men.” In addition, he “watched her, since if she still stirred, he would have stabbed her once more” before he dragged her across the street to the bushes.¹⁷¹

Upon further questioning during the trial, Voigt attempted to explain his crime by saying that he had viewed Peer as the cause of his suffering, “I was a sick person, I had a bloody discharge, was physically exhausted, and saw in the woman the wandering poison that can put a man in this condition. I saw in her the cause of my venereal disease.” But when the judge asked Voigt if he felt any remorse over his deed, Voigt answered “Certainly.” When the judge repeated what Voigt had told the police previously: “Only hate and rage do I feel toward Peer,” Voigt responded, “It is possible that I said at the time that I had no remorse” but “when I came to the district court, I already felt remorse.” The judge asked Voigt if he was fully conscious when he committed the deed. Since Voigt did not want to be considered insane at the time of his crime, he maintained that nothing had interfered with his consciousness at the time of the crime, but only that he had felt threatened by Peer’s actions; he answered: “I am convinced that I was fully conscious. The pursuit, the importunate manner, and the clinging gave me the impression that Peer had something bad in mind.” When the judge Dr. Spitzkopf asked how it was possible that a big, strong man like him could have been afraid of Peer, Voigt claimed, “I only appear to be a strong person. I often had strong feelings of anxiety (*Furchtbeklemmungen*). I was weak at that time.” When Voigt was asked why he stayed around after stabbing Peer, he did not answer. But when he was asked further, he answered, “I admit, that the girl was harmless, but she had a knife.” When Spitzkopf asked Voigt why he committed the crime, Voigt answered, “Out of fear and anger. The

¹⁷¹ Ibid., 264; Türkel, “Der Lustmörder Christian Voigt,” 74.

whole time I feared that Peer had a protector and also because she clung so tight to me.” When questioned about his previous statements to the police, Voigt said, “I cannot remember that I said, ‘if she was not dead, then I stabbed her more.’ What I say today is correct. The woman seemed to me very repulsive. I saw in her being (*Wesen*) that she suffered from venereal disease. With this, I do not want to insult the victim.”¹⁷² Voigt wanted to show that he had not killed Peer intentionally, that it was only in the heat of the moment, and that it had nothing to do with sexual gratification.

But Spitzkopf and the public prosecutor wanted to know how Voigt had carried out the stabbing with so much strength since he claimed to have felt weak from his venereal disease. In response, Voigt tried to persuade his audience that he was indeed telling the truth of what happened, even if it came at the cost of his life:

It doesn’t matter what happens to my empty, unhappy life. Through this I have come so far. I acted out of rage and abhorrence. I certainly had a good intention. I would have become something different than a two-time murderer. I could have taken another place in human society. I do not fear any punishment, not even the gallows. I speak the truth. I have a conscience that says to me: Speak the truth! I will speak the truth.¹⁷³

Medical and legal experts especially did not believe Voigt’s version of the story on several points in particular. Voigt had claimed that Peer had had a kitchen knife that night with which he killed her and that his own clasp knife had been broken and was no longer in his possession. But multiple witnesses had testified that Peer had not possessed a kitchen knife and that Voigt had had his strong clasp knife with him and that it had not been broken on the day that he killed Peer. Experts also believed that Voigt fabricated his fear of Peer and the unseen protector of Peer. When witnesses could also testify to

¹⁷² Ibid., 285, 290; *IKZ*, October 21, 1911, 4.

¹⁷³ Ibid., 290; *IKZ*, October 21, 1911, 5.

Peer's calm and unassuming character, experts did not believe that she had been importunate as Voigt had claimed. Dr. Haberda, (presumably Albin Haberda, the well-known expert who co-wrote the *Handbuch der gerichtlichen Medizin*), testified about the way Voigt stabbed and choked Peer. He cast heavy doubt on Voigt's claims that he had been unable to get away from Peer's embrace and that she intended to attack him since Peer was "very delicate" at 5'0" (153 cm), while Voigt stood at 5'9" (176 cm). While Voigt's co-workers described him as pleasant, good-natured, and sometimes humorous, they did mention that he loved to talk about women, that they never heard him talk about his special hate for prostitutes, that one time he pushed a co-worker down and injured him for no reason, and that he had told them a story about how he cut open the skirt of a prostitute and then fastened it together again with nails. (In one version, Voigt had allegedly paid the prostitute but he had not slept with her because she was too old).¹⁷⁴ As we shall see later, although experts disagreed to some degree among themselves, they also did not believe that Voigt had only killed Peer in the heat of the moment on account of rage, fear, and revulsion, as he had claimed.

During the police investigation and again during the trial, Voigt had to recount his sex life. When the judge accused Voigt of having been in his youth a frequenter of taverns and a womanizer, the *IKZ* reported that Voigt protested loudly and excitedly against this charge. He explained how he had neither been errant in his sexuality during his youth nor had abnormal sadistic sexual desires toward women. He testified:

I had no money for pub life and skirt-chasing, and relationships were not permitted. The teacher and priest in my hometown were my tormentors. I

¹⁷⁴ Türkel, "Der Lustmörder Christian Voigt," 74, 93-94; WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 135, 139, 140, 153, 158, 161, 165, 167, 168, 211, 264, 287, 288, and 292.

first had sexual intercourse when I was twenty years old in a bar in Mannheim. In Sonneberg I made the acquaintance of my later wife. In 1901 I married her. I had a child with her outside of wedlock and one in marriage. I was not especially excited during sexual intercourse. I never had a desire to mistreat or torture women during sexual intercourse. I have never spoken to prostitutes. I have never masturbated. I admit that I often spoke about prostitutes because I was interested in their motives—why they do that and dishonor their body. I had one romantic relationship with Lichtenegger [his girlfriend in Vienna]. I had intercourse with three girls at the most [in Vienna], once with each one.¹⁷⁵

The court summoned several Viennese women to testify at the trial about their relationships to Voigt. However, the psychiatrists, jurists, and the *IKZ* paid attention to the women's experiences only insofar as their testimony as witnesses were useful in ascertaining the nature of Voigt's crime and his sexual relationships with women. Additionally, in Türkel's lengthy analysis of Voigt's case two years after the trial, Türkel examined Voigt's previous sexual life, but he did not make any mention of the female testimony from the investigation and trial, some of which had been referenced in the medical assessments, from which he had recounted other aspects of the case. Incidentally, all of the women testified that Voigt had in fact been the first to approach them.

The court first brought Emilie Karasek, a twenty-nine-year old cook with a Czech accent, to the witness stand to testify about how Voigt attempted to pick her up while she was sitting on a bench in the Hauptallee around 8:30-9 a.m., the same morning on which he had murdered Peer. During the investigation, Voigt had attempted to say that he had not been in the Prater at that time, but at the trial Voigt simply denied that it had been him.

¹⁷⁵ *IKZ*, October 21, 1911, 6; WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 110, 291.

Both Voigt and Karasek went back and forth attempting to prove whether it was him or not by what he had been wearing at that time.¹⁷⁶

The testimony from the investigation and trial of Voigt's girlfriend Philomena Lichtenegger, a thirty-four-year-old cook, indicated that she believed that she and Voigt had had a genuine intimate relationship, that she had expected Voigt to treat her with respect, that he had behaved normally during sexual intercourse, that she felt very disappointed when he was unfaithful to her later in their relationship, and that she did not want to believe it at first. She testified that she had first met Voigt in May 1906 (during his first stay in Vienna) when he approached her to talk to her while she was on a walk. After an intimate relationship developed between them, Voigt spoke of "serious intentions" toward her and told her that "if he married, he would now take her [as his wife]." The first time that they had sexual intercourse was at the end of June or the beginning of July. She refused initially until she let him persuade her during a walk by the Donau. She said that at that time he "always behaved respectably and friendly, and that in sexual intercourse he was also completely normal." They had intercourse mostly in bars, one time at his workplace, and one time in the meadow. On August 18, 1906, she learned from the newspaper that he had been admitted to the asylum. She heard nothing from him until the late fall of 1909 when he sent her a postcard and letter from Nuremberg (after his release from the asylum). He said that he had gone on long trips during the last several years and for this reason could not write her. He arrived in Vienna some days before Christmas and waited for her on the street and told her that he had come there out of his love for her.

¹⁷⁶ WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 115, 137, 286. Karasek had claimed that the man's hands were scratched with whom she spoke. There may have been evidence that Voigt's hands were scratched.

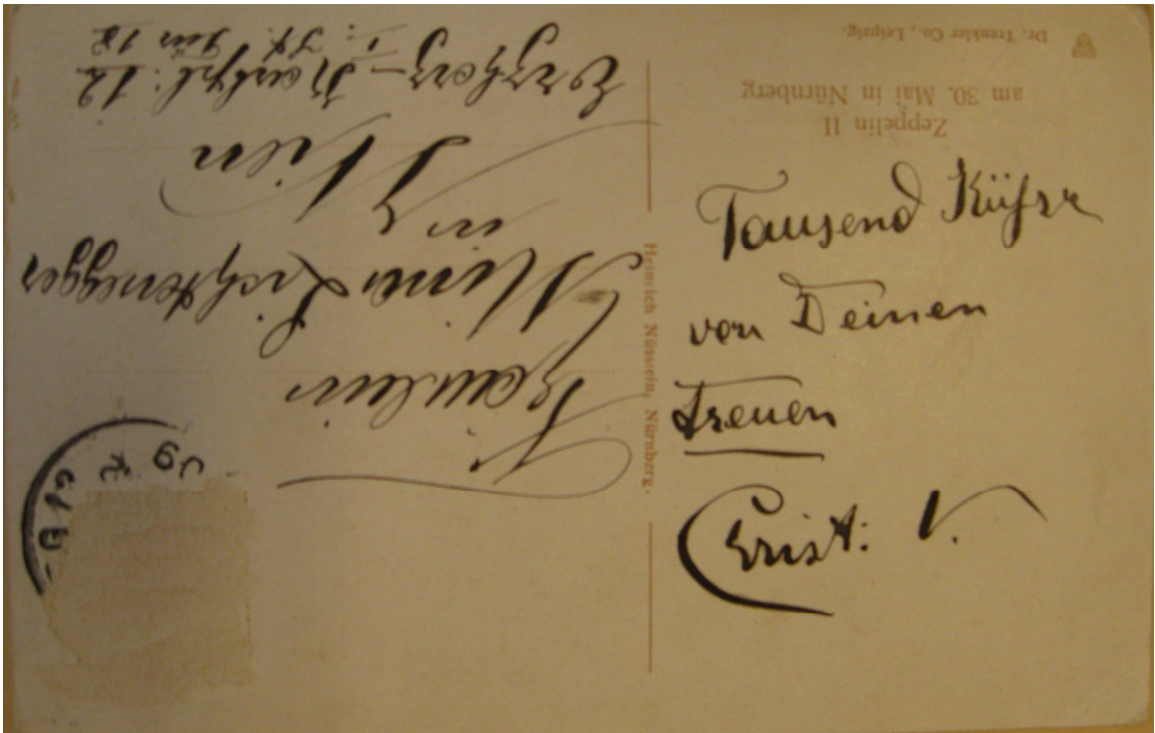


Figure 3.5. One of several postcards Voigt addressed to his girlfriend Fraulein Philomena (a.k.a. Mina) Lichtenegger. This one reads: “Thousand kisses from your *faithful* Christ. V.”

Source: WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 23.

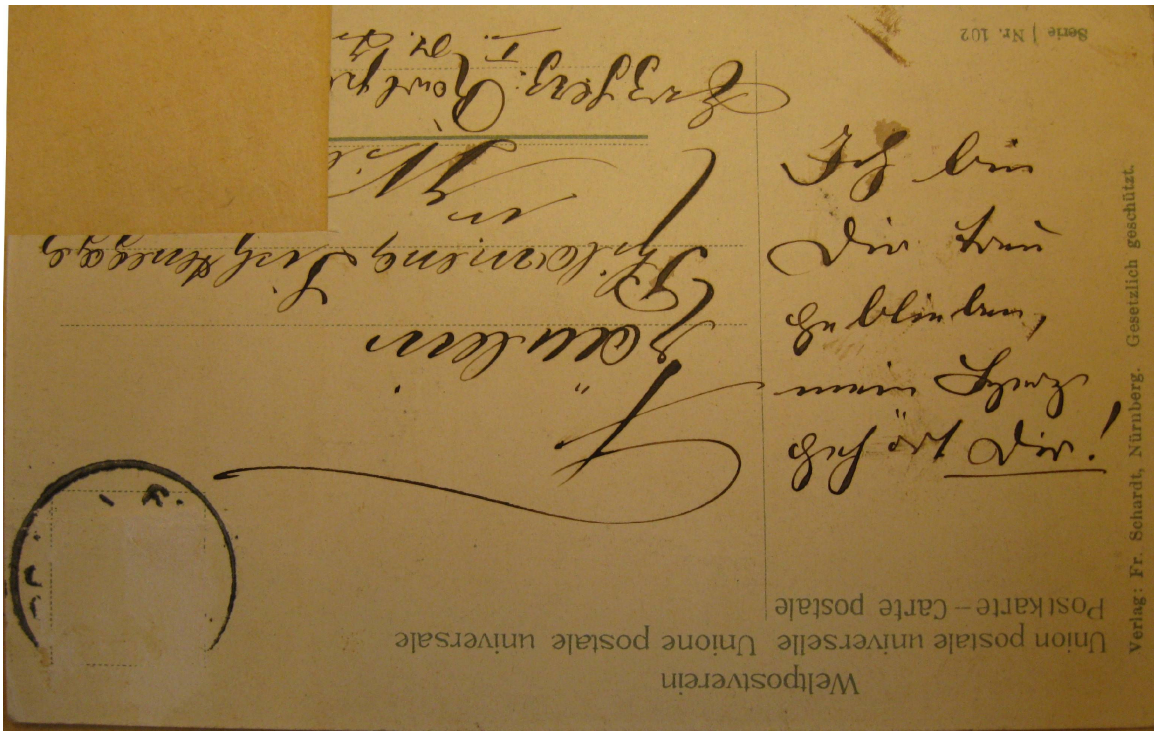


Figure 3.6. This one reads: “I have remained true to you, my heart belongs to you!”

Source: WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 23.

They continued their previous relationship and had intercourse twice in a hotel and several times at his workplace, but always before 10 p.m. in the tool shed. However, she felt that his behavior toward her had become “colder and less friendly” than in 1906. When she told him that he was no longer the same, he agreed but did not say anything further on the matter. In March 1909 she saw him with another girl and later when he met Lichtenegger on the street, he denied that he was going with another and talked her into continuing the relationship. They reconciled some weeks later at the beginning of April. They first had sexual intercourse again in the middle of April at his workplace and he behaved normally. Their relationship continued as before until the end of July when she met him with another girl. She spoke to him and he left the other woman to go with Lichtenegger. He denied that he had been unfaithful to her. She did not believe him, but rather wrote him a letter and ended the relationship. After a few days he waited for her again on the street and seemed to her to be okay again, so that she continued the relationship anew. However, he no longer went out regularly with her on Sundays, when she was free but instead gave different excuses. When she reproached him, he said, “One also becomes older.” They had intercourse on July 31, 1910, on a walk in the meadow after a pause of some months, since Voigt had told her that he might have venereal disease. But he was not excited that time during sex and wanted something else. They met again sometimes on the street, the last time on August 12, when he complained about having many headaches. They made plans to meet up on August 13 (the night of the murder), but she did not come because she had to work. She affirmed that Voigt possessed a knife that she last saw on August 12, but she did not know if it was a clasp knife. She also said that, at the time, she had not known that he had had intercourse with

others, and she did not know with what type of girls Voigt had had intercourse. She also said that she was healthy.¹⁷⁷

According to the trial transcript, the defense lawyer asked Lichtenegger a question and she answered:

He also said that if I would not have intercourse with him anymore, then he would shoot himself. He said, “I would like most to shoot myself.” We had intercourse with the means of protection (*Schutzmittel*) [provided] for all workers from the Donau Regulation Commission. It was said to me that Voigt had come out of an asylum. Voigt wrote me that he was traveling and I believed him. It is known to me that Voigt committed an act of cruelty out of sexual stimulation. I had asked him about it.

The transcript from the trial reported that the accused opposed this last question, becoming upset at the defense attorney and the defense attorney told him to quiet down. Lichtenegger answered that he had never treated her brutally.¹⁷⁸

According to the *IKZ*, Voigt’s defense attorney asked Lichtenegger whether she knew that Voigt had been in a mental asylum when he had become her boyfriend. The newspaper reported that Voigt had jumped up, threatened his defense attorney with his fist, and shouted, “Do not torment the woman! I forbid you!” The defense lawyer told Voigt to quiet down. Lichtenegger defended Voigt in her response to the court. When the defense lawyer asked if she knew that Voigt had killed a woman once because of sexual overstimulation, she claimed that she had already known that in 1906. When the defense lawyer questioned if she had never been afraid to be the lover of a *Lustmörder*,

¹⁷⁷ Ibid., 151-52, 291-92.

¹⁷⁸ Ibid., 291-92.

she shrugged her shoulders and kept silent. When the defense lawyer asked her if Voigt had ever been rough with her, she answered never.¹⁷⁹

Presumably, Voigt's defense lawyer had attempted to show that Voigt had had romantic, non-violent sexual relations with his girlfriend, Lichtenegger. At any rate, Lichtenegger's testimony about her intimate relationship with Voigt and Voigt's sensitivity to her being asked this question suggests that Voigt's regard for and treatment of Lichtenegger differed from his relationships to the other female witnesses.

When the other women testified against Voigt at the trial, Voigt regarded their testimony as a real threat because if others believed their testimony, it would undermine his main argument that he was not sadistic or otherwise violent sexually. He also wanted to prove that he did not have an abnormal sex drive—that is, that he did not have a lot of sexual intercourse with many different women. So while Voigt wanted his voice to be heard at the trial, he vehemently attempted to deny the voices of the women who rose to testify against him, on the basis of their social identity as prostitutes. According to the newspaper account, when the forty-nine-year-old prostitute Rosa Kustor was called forward to testify, Voigt's defense lawyer requested that the judge state that psychiatrists had identified Kustor as a muddled alcoholic, whose testimony should be taken with caution. The defense lawyer then asked the witness to come forward while reiterating the jury's need for caution. When the judge began to administer the oath, Voigt jumped up and burst out, "That such a witness should be sworn in! That's not possible!" After the judge made Voigt quiet down, Kustor testified about the rendezvous with Voigt at the lumberyard where he choked her, but said that she had defended herself and scratched his

¹⁷⁹ *IKZ*, October 21, 1911, 6.

face. Two other prostitutes could testify that Kustor had told them about what had happened at the time and that they had seen the scratches on Voigt's face from this struggle. When one of these witnesses referred to herself as a manual worker, Voigt again lost his control and burst out, "Why does the court put up with her stating that she is a "manual worker," she is a..."¹⁸⁰

Wihelmine Schöpp, the twenty-four-year-old married manual laborer and clandestine prostitute mentioned above, testified about her normal sexual relations with Voigt as well as the time Voigt had also invited her to the lumberyard. She testified that she first met Voigt during the Christmas holidays on the street and that he spoke to her and requested that she to take him with her to her apartment. She said that from December to February Voigt had had sexual intercourse with her three times and that each time he had paid her three crowns. He had treated her completely normally and showed no especial excitement. She saw him more times on the street and spoke with him but he did not come to her anymore. She received a letter from Voigt, inviting her to his workplace to pick up wood, but she had not gone right away. Kustor later told her that a man had led her to a lumberyard and promised her twenty crowns, but he did not give her anything and he tore her clothing from her body, choked her, and scratched her. Schöpp saw that Kustor was swollen, that she had a black eye, that her fingers were bitten through, and that her lace handkerchief, blouse, coat, over- and underskirts had been torn. Kustor did not want to make a report because she feared that she would be overtaken on the street. Kustor told her that the man was a big man, a German. From Kustor's description, Schöpp had no doubt that it was Voigt. Kustor also told Schöpp that she had scratched his face. Because Schöpp was afraid to go alone, she told Juliane Scherer that

¹⁸⁰ Ibid.

she should go with her to the lumberyard to see if Voigt's face was scratched. When they came around 5 p.m., at first Voigt was not there, but then when he saw that they did not go away, he came with a beer bottle under his arm and asked what they wanted. They saw the scratches on his face and, as a pretext, Schöpp asked about the promised wood. He requested them to come again at 7 p.m. after closing time, but they did not go back because they were afraid of him. Scherer, a twenty-two-year-old prostitute who also lived near Schöpp and Kustor on Molkierstrasse, confirmed Schöpp's testimony.

During the investigation Voigt said that he had written Schöpp a letter while she was serving a short jail sentence, but it was not about wood. During the trial, Voigt disagreed with Schöpp's testimony by saying that he had had intercourse only one time with Schöpp and he maintained that the matter about Kustor was not true. Schöpp repeated, "He was three times with me. One time he took me into an inn. Another time he spoke to me and said, 'Come, little one, let's go have it off.'" Voigt responded, "That is not true."¹⁸¹

During the investigation Kustor, the forty-nine-year-old prostitute from Hungary, testified that on April 30, 1910, she was in an inn near her apartment at around 1:30 a.m. when Voigt came and sat near her and began to speak about the weather, before saying that he would take her to his apartment and promising twenty crowns. When she noticed on the way, that instead he was taking her toward the lumberyard, she wanted to turn around, but he forced her to go there and into the tool shed. There he tore her clothing from her body, threw her despite her screams on a pile of rags and old clothes, used her, and choked her. She scratched his face and he bit her in the fingernail and said, "You

¹⁸¹ WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 115, 146, 148, 293, and 294.

damn cat, you completely scratched me.” She said that while they were wrestling, she lost an earring, a ring, and a key that must still be at the site of the crime. After the first sexual intercourse, he used her two more times and said, “I have to murder you if you scream.” After he calmed down, he brought her a newspaper to wrap up her torn underclothes, washed himself by the well, and then behaved completely normally. When she tried to go away, he threatened again that he would stab her, if she would call for help. She reported that she did not see a knife on him. She said that she reported this encounter with Voigt to the police a week later on May 7, 1910. She said that she would not have gone there at all if he had not promised her twenty crowns. He did not pay her anything, but told her to come the next day, Sunday at 3 p.m., and said he would give her something, but he did not come.¹⁸² During the investigation, Voigt had stated, “Kustor is crazy. I am not the man of whom she speaks,” but in response to Kustor’s testimony during the trial, he simply stated, “I do not know the woman.”¹⁸³

Before Kustor testified, as the *IKZ* noted, the defense attorney asked the judge to establish that the witness, Kustor, “showed the habitus of an alcoholic, that her fingers and tongue quiver, and that she is imprecise in her testimony” as had been stated in the psychiatric assessment from the court psychiatrists. Despite the public prosecutor’s request that this portion of the assessment not be read, the judge allowed it to be read. The assessment had stated that an independent evaluation was conducted on December 17, 1910, since Kustor’s testimony was of great importance and concluded that she was imprecise in many details, giving different responses to the same questions, such that her testimony was “completely unreliable.” One example that the assessment reported was

¹⁸² Ibid., 141-42, 211.

¹⁸³ Ibid., 115, 295.

that although Kustor had told the police that Voigt had used her three times, Kustor was not sure how many times Voigt had actually used her. It was reported that she explained this discrepancy by saying that because the lower part of her body was bloody, she could not feel his sperm.¹⁸⁴

Kustor was then allowed to testify. She testified that she lived with her son and that she had not yet been punished for fraud. At the wish of the jury, however, the judge broke off the trial for ten minutes, and when the trial resumed, the public prosecutor stated that he had learned after Kustor had been sworn in that she had recently been in an asylum and was recently released and asked that she be questioned about this, as it was significant to her testimony. She explained that she had been released from the asylum on September 19, 1911, and now lived with her son. Although Elzholz had written the initial assessment about Kustor, he now attempted during the trial to explain why her testimony should be considered valid. Elzholz testified that he had examined her some months before she had gone into the asylum and that at that time he had the impression that she was a heavy alcoholic, that she was not oriented, and that she was an intellectually damaged person. But he said that the assessment was only valid for the six-month limit they had set for it. Kustor had since spent a long time in the asylum and was forced to be abstinent and for this reason, she now made a good impression at the witness stand. The judge then asked the psychiatrists present to pay attention to Kustor while she testified. Kustor repeated a shorter version of the testimony from the investigation. Elzholz then testified again that Kustor's behavior was completely different now at the trial than previously and that she had been forced to abstain from alcohol. He said that now her body no longer shook, there was no more quivering in her voice when she spoke,

¹⁸⁴ Ibid., 211, 294.

and her face showed a healthy color. He also now had the impression that she had a good memory and her testimony during the trial was in accord with her earlier testimony.

When it appeared that she had testified something different, he believed that previously she had only said something without forethought. He affirmed that he could not discern any defect of memory. He explained that, previously, he did not have the impression that there was anything good to expect from her testimony, and that he had not known of Schöpp's testimony at that time. In contrast, toward the end of trial Raimann affirmed that they had the same impression of Voigt as previously—that is, that Voigt has the same psychological personality as before. Raimann repeated that their findings did not change after the evidence shown in court and that regarding Kustor, he agreed fully with Elzholtz.¹⁸⁵

While Kustor reported her April encounter with Voigt the previous May, her report of repeated rape, choking, and threats to stab and murder her if she screamed or called for help does not appear to have merited the active attention of the police until Peer's murder the following August—despite Kustor's physical injuries, description of physical evidence, and description of her attempt to physically defend herself. In contrast to Voigt's ability to defend himself in court, Kustor was at the mercy of the court to even speak about her injuries. Her testimony was taken seriously only because other women could confirm her story and because she had been forced to abstain from alcohol in the asylum. However, her experiences were only paid attention to insofar as they provided evidence of Voigt's sadistic behavior toward women. Legal and psychiatric experts were concerned only about her reliability as a witness. In contrast, Voigt's appearance, behavior, and diction helped him to make his voice heard at the trial, despite his previous

¹⁸⁵ Ibid., 294-95, 299.

background. In both cases, however, their external behavior strongly influenced the ways in which experts judged their mental ability and whether they were allowed to enter and/or speak at all in a courtroom.



Figure 3.7. Illustration of a female witness recognizing Voigt as the man “who chokes girls” during the interrogation.

Source: *IKZ*, August 17, 1910, 4.

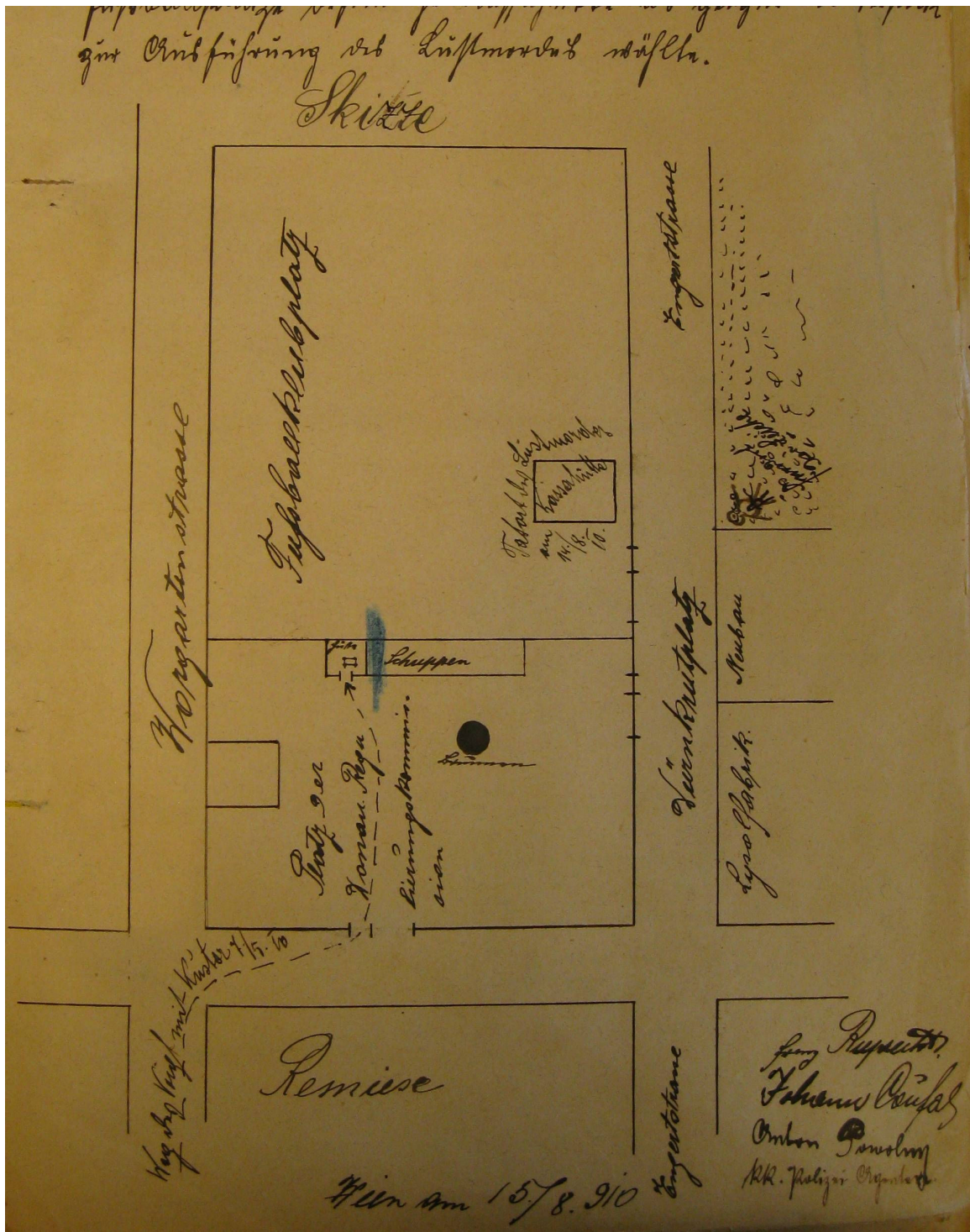


Figure 3.8. Sketch from the investigation on August 15, 1910 showing the proximity between where Voigt raped and choked Kustor at the lumberyard and where Voigt sexually murdered Peer in the entrance booth near the soccer field before dragging her corpse across the way. Located in the Prater, a large public park in Vienna.

Source: WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 21.

In contrast to Voigt's version of killing Peer and his description of his sex life, experts found much evidence of Voigt's sadistic impulses. However, there was some disagreement over how exactly to understand Voigt's Lustmord. The court psychiatrists Elzholz and Raimann had concluded in their medical assessment and at the trial that they could not say for certain whether Voigt had committed Lustmord without the presence of epileptic elements or if he had committed the crime in a semi-conscious epileptic state. However, in their medical assessment they had actually cited many reasons to believe that Voigt had committed Lustmord. They regarded Voigt as "a sexually very excitable and needy person;" they noted how witnesses shared that he had relationships with three women at the same time in Vienna and that one of his favorite topics of conversation was the female sex; and they thought that once he had made an appointment for two prostitutes at the lumberyard for a late hour. They believed that Lustmord was the strongest form of sadism and that if they took Kustor's account at face value, it represented very important evidence of his sadistic drive. They also could not ignore the story about Voigt nailing together a skirt because in both the cases of Protovsky and Peer in which the women "had fallen victim to Voigt's lust to kill (*Mordlust*)" their skirts and shirts had also been cut. They thought that these acts might possibly signal a partial indication that Voigt possessed a stronger form of sadism, while for other sadists, it constituted their full sadism since, "It is well-known that there are sadists for whom cutting female clothing into pieces is an equivalent of the sex act."

They believed that the autopsy was also enough to consider the crime a Lustmord since if it had only been an affect of rage (*Zornaffekt*), such that Voigt felt blind rage toward his victim, then one would expect to find stab wounds as such—there would not

have been so many stab wounds and the clothing would not have been damaged. Instead, the underskirt had had a long cut in the front and the shirt had been cut on the side in order to expose body parts and to mutilate them with a knife. They believed that Lustmord was the only way to explain the powerful cut that had cut off the breasts, the way the knife had been inserted in the vagina and then dragged backwards over the sacrum, and the strangling marks with deep slashes.¹⁸⁶

But the court psychiatrists did not believe that Voigt's crime was "a typical case of Lustmord" since it had been reported that Voigt had had intercourse with Lichtenegger over a longer period of time, without her having noticed any sadistic traits and the prostitute, Schoepp also had not noticed anything abnormal. Although the psychiatrists affirmed that, as degenerates, sadists periodically subjugate their sexual excitement so that there are occasions during which their sex drive is powerful and other occasions in which they are hardly sexually excitable, they believed that it is usually the case that the sexual excitability of sadists makes their sadistic impulses apparent. They believed that Voigt could still be considered a sadist since they believed that "the pathology of a *Lustmörder* is certainly not so well known that one could claim to be familiar with all the types of sadistic impulses." They thought that "it could be possible that being under the influence of alcohol could bring the sadistic component to the surface, while in sober situations the sexual excitement might be normal or at least inhibitions would be strong enough to suppress potential sadistic impulses." They also assumed that Voigt was probably heavily under the influence of alcohol at the time of his crime. In short, they

¹⁸⁶ WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 224-25, 228.

understood Voigt's Lustmord to have been caused by the effect of alcohol on Voigt's pre-existing sadistic impulses.¹⁸⁷

But the main reason why the court psychiatrists were hesitant to identify Voigt's crime as Lustmord for certain was because they thought that the presence of Voigt's sperm was necessary to prove that the crime had been sadistic:

One difficulty for calling it sadism is that no sperm had been found in Peer's vaginal fluid, just as none had been in the case of Protovsky. Now it is correct that most *Lustmörder* use their victims sexually and through their hypersexuality satisfy their libido when they cruelly treat their victims and kill them. But there are also sadists, for whom carrying out their cruelty functions as an equivalent substitute for the sex act. In such cases the proof is fresh sperm in the clothing of the suspected individual. In Voigt's case, this investigation was certainly not conducted, so that a very important aspect is lacking for deciding the question that interests us here.

The court psychiatrists also tried to determine if Voigt had committed the crime in an epileptic coma, but they felt that it was difficult to find absolute proof of a change in consciousness. They were convinced that the course of events did not happen as Voigt described. They believed that it was out of the question that "Voigt, a man who was built like a giant, should have been afraid of Peer" if one did not accept that "he was in a pathological state of panic." They concluded that Voigt had certainly invented the part about the knife and that he had most likely invented the part about Peer being too pushy. They also noted how Voigt had a correct memory of other events from that night, thus casting doubt on his having suffered from an epileptic coma.¹⁸⁸

¹⁸⁷ WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 226.

¹⁸⁸ Ibid., 226-27. The automatic search for fresh sperm in Peer's body rather than on Voigt's clothing might indicate that authorities were not accustomed to dealing with Lustmord or that they were accustomed to looking only at the victim's body to determine the extent of injuries, rather than the perpetrator's body.

During the trial, Raimann defined Lustmord as “the most extreme expression of sexual sadism, in so far as the victim of the sexual act is dismembered.” He explained that “Lustmord is usually carried out so that the sex act comes first. But it often happens that a Lustmord is carried out without coming to coitus. The typical Lustmord is sexual intercourse followed by killing (i.e., by strangling).” Although this definition would place Voigt’s crime in the category of Lustmord, Elzholtz and Raimann reiterated their uncertainty over how to view Voigt’s crime. Elzholtz testified how Voigt had “flared up the first time that I rebuked him that the consequences of his denials could possibly cost him his life.” Voigt responded, “Dr. Elzholtz told me, ‘They would send me to the lunatic asylum.’ I said, ‘They may not. It was previously that I was an epileptic.’” Elzholtz clarified, “I reproached the accused by telling him that he would go to the lunatic asylum. Fixed pupil is not simulated.” Elzholtz explained why one could not exclude the possibility that Voigt had an epileptic seizure or loss of consciousness during the crime and he stated that they could not say whether what is called Lustmord happened, whether something suddenly occurred, or whether a period of longer consideration before the crime occurred since “cases of Lustmord are seldom” and “one can not ascertain the inner thoughts and feelings of a perpetrator.”¹⁸⁹

In contrast to the court psychiatrists who were a bit more hesitant to conclude that Voigt’s crime was in fact a Lustmord, the medical faculty believed that “everything converged to say that they were dealing with a Lustmord,” and that it was “hardly necessary to regret that Voigt’s clothing had not been searched for sperm.” They thought that Voigt’s stated motives for killing Peer, the three different affects—fear, revulsion, and anger—“did not appear plausible to explain such a frightfully bloody deed.” They

¹⁸⁹ Ibid., 298, 299.

concluded that his deed was “so unambiguously a Lustmord” because of the way that the corpse was harmed (the formally dissected character of some of the injuries inflicted after the victim died) and because the way that he had cut Peer’s clothing was so similar to the way he had cut Protovsky’s. They assumed that either Voigt knowingly gave a deceitful account of this part of the story or he had confabulated this part of the story by falsely filling in the gaps in his memory. They concluded that Voigt had suffered from epilepsy in the past but that there had been no seizures since 1902 and that there was no other indication that he still suffered from it. They also decided that it was unlikely that Voigt suffered from any other clouding of his consciousness at the time of the murder since Voigt could recall all of the events from the night of his crime in a logical order and development. Rather, they concluded that Voigt certainly possessed sadistic impulses but they remained uncertain whether he always had these impulses or only from time to time, and if only from time to time, if it was only under the influence of alcohol. They felt that they could not answer this last question because they could not have a clear look into his inner thoughts and feelings, but that it was enough to know that his sadistic impulses had appeared repeatedly. They assumed that alcohol, even a light amount at the time of the crime, would have increased his sexual and emotional excitability.¹⁹⁰

In the footnotes in his article from 1913, Türkel would interpret Voigt’s Lustmord somewhat differently than Voigt, the court and university psychiatrists, and the attorneys had during the investigation and trial. While the court psychiatrists did not believe that they could determine whether Voigt had committed Lustmord without the evidence of sperm because they could not know his inner thoughts and feelings, the university psychiatrists did not doubt that Voigt had committed Lustmord, (and they believed that

¹⁹⁰ Türkel, “Der Lustmörder Christian Voigt,” 90-91, 93-97.

the evidence of sperm was unnecessary), but they believed that one could not understand the exact role of alcohol in Voigt's sadistic behavior because they could not know his inner thoughts and feelings. In contrast, not only did Türkel believe that Voigt had committed Lustmord, but perhaps as a criminalist he believed that one could actually deduce Voigt's inner thoughts and feelings. In addition, despite his legal background in criminal responsibility, Türkel did not comment on the ways that mental illness or alcohol might have diminished Voigt's responsibility before the law.

Türkel was familiar with other literature about Lustmord from Erich Wulffen's *Der Sexualverbrecher* (1910) and nine other articles pertaining to Lustmord in Gross's *Archiv für Kriminal-Anthropologie und Kriminalistik*. He also cited Georg Ilberg's six-point conclusion from his article "Über Lustmord und Lustmörder" which appeared in Gustav Aschaffenburg's *Monatschrift für Kriminalpsychologie und Strafrechtsreform* (1905). Türkel maintained, "Dr. Elzholz put far too much weight on the question of whether Voigt ejaculated in order to decide for certain whether Voigt had committed Lustmord," since Türkel reasoned, "there are individuals for whom the subjective satisfaction of the sex drive and ejaculation do not always go together." Instead, Türkel attempted to explain Voigt's psychological motivation behind his Lustmord by stringing together a series of observations. First, Türkel referred to the report by the medical school about Voigt's story about the night he killed Peer, in which Voigt claimed to have felt no sexual desire toward Peer. Then Türkel quoted Ilberg:

Many times we have seen that...impotence...and the ensuing rage of a greedy perpetrator leads to these horrible acts. Something hindering coitus can trigger (*auslösen*) terrible acts of cruelty. Many times we have already observed that the sexually excited person, who has not successfully completed sex or been permitted to, is not satisfied with killing his victim, but also mutilates his victim.

In the case of Voigt, Türkel believed that it appeared that even though gonorrhea did not absolutely hinder Voigt from intercourse, the sexual depression it gave him may have played a precipitating role in these sadistic acts, this Lustmord. He also noted that it had been reported to him that Voigt had said that he had felt abhorrence and rage toward prostitutes ever since his infection (which Türkel said had not been in the files he had received). Türkel also noted that Voigt claimed that he would not have had intercourse with Lichtenegger had she appeared to meet him that night. Türkel further noted that Voigt told the referent of the medical school that his potency was smaller whenever he drank alcohol. Türkel finally pointed to Voigt's autobiography in which he stated that he could not fulfill the demands (*Anforderung*) of his "covetous wife."¹⁹¹

In summary, Türkel believed that Voigt had committed Lustmord on account of his anger and rage which had been caused by his occasional feelings of impotence and that his lack of sexual desire had been especially heightened by his venereal disease and alcohol consumption. Voigt thus released his pent up anger and frustration by finding sexual gratification not in forced intercourse or even by killing his victim Peer, but by violently choking and mutilating her. Türkel paid attention to the psychological motivation of Voigt to explain what had led Voigt to commit Lustmord. Alcohol did not explain Voigt acting on his sadism, as the psychiatrists had assumed, but rather Voigt's feelings of impotence. In contrast to Voigt's repeated attempt to refute any suspicions that he was a man with an overactive sex drive, Türkel suspected that impotence lay behind Voigt's Lustmord. Furthermore, while Voigt believed that such a crime committed out of emotional affect (rage, fear, and revulsion) should be considered

¹⁹¹ Ibid., 81, 93-94, and 97.

manslaughter, the court and university psychiatrists did not believe that emotional affect could explain Voigt's crime. In contrast, Türkel regarded Voigt's affects as an important part of understanding Voigt's psychological motivation behind his Lustmord. Perhaps because Voigt and the court and university psychiatrists viewed Voigt's alleged rage, fear, and revulsion as reason to consider his crime manslaughter and Voigt's alleged sadism as reason to consider his crime murder, the prosecution and defense attorneys would also frame their closing arguments by pitting emotional affect and Lustmord against each other as two opposing types of motivation.

Toward the conclusion of the trial the defense lawyer attempted to take advantage of the difference of opinion between the court and university psychiatrists by asking, "Is it correct that there is time to challenge the reason for considering the crime as Lustmord (because of the lack of sperm and the lack of extended sexual intercourse)?" and "Is it true that you must frame it as the carelessness of the police that Voigt's clothing were not examined?" But the prosecutor objected to allowing these questions and the judge agreed not to allow them to be answered because, as he stated, the medical assessment had already made these points immaterial. At this, Voigt remarked, "I achieved my purpose. I eluded the lunatic asylum. I admit that I was sick. I am satisfied with the procedure of taking evidence." With no other final requests, the judge closed the procedure of taking evidence.¹⁹²

Before the jury voted whether Voigt should be convicted of murder or manslaughter and whether he had been sane at the time of the murder, the public prosecutor, Dr. Urbantschitsch and the defense lawyer, Dr. Schönbrunn, made their final arguments to the jury. In contrast to the nuanced analysis of the medical assessments,

¹⁹² WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 299-300.

their closing arguments framed the legal debate in entirely diametrical terms of whether Voigt had committed either Lustmord or manslaughter. The *IKZ* reported that the public prosecutor exclaimed in his closing speech, “If it is hard to understand how someone could take the life of another, how much more difficult when it has to do with a Lustmord!” Urbantschitsch argued that Voigt had committed murder out of the joy it gave him sexually and that Voigt’s crimes were proof of the crime of Lustmord:

Christian Voigt did not murder out of greed (*Gewinnsucht*) or hate, but rather he wanted to murder because murder causes him joy and fulfills a need because murder means the highest *Liebeslust* for him. If certified proof was ever required of someone’s ability to commit Lustmord, then Voigt provided it years ago when he slaughtered a blooming, virgin girl. The deed that you have to judge, gentlemen of the jury, he did not commit in passion; manslaughter, as he wants us to believe—we do not believe him.

The public prosecutor went on to warn the jury that they would be very *mistaken* if they thought that if they chose to be lenient, Voigt would be sent to an asylum. The prosecutor forcefully argued, “He will *not* go to an Austrian asylum. The highest authority, the medical school, has barred the door to him for that. Only one choice remains to you: Either judge him, or he will walk out into freedom to commit new crimes, new murders.” The public prosecutor had appealed to the jury’s moral sense by saying how impossible Lustmord was to understand, especially that of Voigt’s first Lustmord of an innocent, young virgin. But the public prosecutor also emphasized Voigt’s first Lustmord of an innocent, young virgin because Voigt had argued throughout the trial that such an unfeminine, importunate, and diseased illegal prostitute as Peer had provoked him to rage. Since Voigt had blamed his victim, the public prosecutor challenged the legitimacy of Voigt’s argument by focusing on his previous sexually honorable and morally blameless murder victim.

The *IKZ* reported that, in contrast, Voigt's defense lawyer, Dr. Schönbrunn, tried to prove in a long impressive speech that Voigt was not a murderer, and that his deed could only be judged as manslaughter. He argued that Voigt had been "sexually sick and embittered because of it" and that "he felt so revolted at girls who sold love" that "anger overtook him since Peer, who was also a pirate of love, would let her poisonous body loose on other men. In his wild passion, he wanted to avenge his sex on the diseased woman."¹⁹³ Voigt cried during this final speech of his defense lawyer and after the speech he said with an effort, "I can only repeat, I am not a murderer—I have never murdered!"¹⁹⁴ Voigt's defense lawyer defended Voigt by arguing that Voigt's violent stabbing of Peer should be considered manslaughter instead of murder because of Voigt's bitterness, anger, and desire "to avenge his sex" on a "poisonous" deviant prostitute. Schönbrunn implied that since Voigt was a man, his anger and revulsion toward this kind of woman, rather than sadistic sexual gratification, could explain such a crime. Schönbrunn must have wagered that the jury would be able to find this explanation at least plausible, even if they disapproved of Voigt's rage toward illegal and "poisonous" prostitutes such as Peer. Schönbrunn did not reiterate Voigt's fear that the victim intended to harm him.

Voigt not only wanted to avoid the asylum and the death penalty but he also wanted to be perceived by others as sane, in order to have his voice heard; morally good, in order not to see himself as a deliberate murderer; sexually normal in order to not be regarded by others as abnormal or deviant; and intelligent, since because of his pride, he did not want to feel beneath others and let them have power to define and control him.

¹⁹³ *IKZ*, October 22, 1911, 30.

¹⁹⁴ *Ibid.*

Yet, he did not believe that the sympathy and understanding that he desired from others should be granted to his victims. Although the jury ultimately convicted Voigt of murder, the Viennese public certainly did not regard him as a monster in the way that the public would regard later serial murderers in late-Weimar Germany.

At the end of the trial, Voigt's idiosyncratic reaction to the decision of the jury with a final self-composed and enigmatic performance could not help but attract public attention. Hurt pride perhaps best explains Voigt's otherwise illogical and nonsensical final public statements made famous by Musil. According to the *IKZ*, when Voigt reentered the courtroom, he ascertained that the ruling had not been in his favor when he saw his defense lawyer's face, but when Voigt heard that the jury had sentenced him to death by hanging, he smiled. As four strong guards (specifically prepared for Voigt since he was such a strong man) took him out of the room, Voigt turned around and said to the jury, smiling and politely: "I am content with the decision of the court even though I have to confess to you that you have passed judgment on a lunatic." While the *IKZ* reported that it could not make out Voigt's final words as he was leaving the room, the trial records noted that Voigt added thereafter, "Better in prison (*Strafhaus*) than in the asylum (*Irrenhaus*)!"¹⁹⁵ To his great dismay, Voigt realized that his attempt to receive a more lenient punishment by portraying himself as sane had failed. He acknowledged his insanity in an attempt to show how he had actually fooled them to believe that he was sane since they ultimately judged him to be legally responsible for his crimes—whereby, he at least avoided the asylum as he had desired. He also wanted to gain the upper hand

¹⁹⁵ Corino, "Contribution of Biographical Research," 305. I have used Corino's translation of this sentence, which he took from *Arbeiter Zeitung*, the *Neue Freie Presse*, and the *IKZ* on October 22, 1911. WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 301.

by trying to show that they were at fault for unjustly sentencing “a lunatic” to the death penalty.

Despite signing a personal letter to the court president Dr. Ender in November after the trial with the closing “Unjustly condemned to death,” the following February when the Kaiser’s commuted Voigt’s sentence to lifelong imprisonment, Voigt responded, “I take no pleasure in the pardon; I would have preferred the death sentence to have been carried out.”¹⁹⁶ Perhaps as a matter of self-respect, Voigt had to refuse to appear as though he was grateful for the mercy he was shown in order to show that he rejected others’ authority over him—the authority that had allowed them the power to decide whether to grant him mercy or not. Voigt wanted to feel that he was somehow above those who had the power to decide his fate.¹⁹⁷

A Post-War Snapshot: Christian and Emma’s Clemency Plea

During the investigation and trial, Christian was considered divorced from his wife, Emma. It was noted in a medical report from Christian’s stay at the asylum in Bayreuth that Christian responded calmly when Emma wrote to him saying that she wanted a divorce. The examining physician had the impression that Christian was a cynic when Christian remarked that his wife “should divorce him if she believed that it might work out better for her.”¹⁹⁸ However, it was Emma who had made the request from the asylum director Dr. Kraussold that Christian be examined, by which a resulting declaration of incapacitation later helped him be released from the asylum. At the time of

¹⁹⁶ Corino, “Contribution of Biographical Research,” 305. Again, I used Corino’s translation of this sentence taken from *IKZ*, February 23, 1912, 11.

¹⁹⁷ Corino, “Contribution of Biographical Research,” 305; *IKZ*, February 23, 1912, 11.

¹⁹⁸ WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 222.

their clemency plea, Christian thought that he had had two children with Emma, but Emma spoke of the three children that she had had with him. After the three children with Christian, Emma had two more daughters with other men, but the fathers later passed away. So in the years following the First World War, Emma turned to Christian, hoping that he could come home to help her. They both wrote formal letters in 1922 and 1923 requesting that Christian be released early from Garsten. Even though their clemency plea was unsuccessful, it shows the ways in which after the war, identity rooted in conventional gender roles, experiences of working-class life, and rural values appeared to Christian and Emma to be the most effective means of making their argument. By invoking the general suffering caused by the war, Christian attempted to show how his family especially needed him after the war. He also argued that he would be able to become a good citizen upon release, how he was not the person he had previously been accused of being, why his crime was not so bad, and why authorities should help him begin a new life.

In his lengthy letter addressed to the office of public prosecution in the spring of 1922, Christian began by describing how in the aftermath of the First World War the longing for the rebuilding of a stable society was common to all and by asserting that this could be achieved only by rebuilding individual families:

Central Europe lies in agony and wishes for a 'victor' in order for compassion, for help, and to make life endurable again. The cause and 'originator' of this social death struggle will certainly be discussed further but the will to get up again is common to all. Society is a large family that would not be thinkable without the small, individual families, which are the higher forms. If it goes badly with them, then it will also with the larger family. In no time in history has the fate of the individuals so entirely been that of the whole as in the present.

Christian then tried to make a case for the need to reunite with his own family. He explained how after almost twenty years absence from his hometown and his family as well as “untold suffering,” he learned that he still had a family. His family had believed that he was dead because he had not communicated with them the past twelve years since he had wanted to be forgotten. In October 1921, he registered with a parish office in the Thüringer Wald in order to see what might have happened to his son during the war. He learned that his son had died in 1918 in France, and as a result of his inquiries his family learned that he was still alive. He explained that he loved his wife and her children, that his wife longed for her husband to come home, and that the children longed for a father. He described how his wife had made glass beads for the last nineteen years and how she worked at home by an open flame and became ever more wasted away and hunchbacked. He also described how he could be of use to his family, but “that he had been slowly declining because the penal system had been torture since 1915, a painful path of suffering to the grave.” He explained that his wife lived in her hometown in Fehrenbach, Kreis Hildburghausen and that she had inherited a field from her father and had a goat. He stated that “theoretically he was now a ‘landholder’ and never before in his life had his economic security been so well provided for as at the end of his life in future ‘freedom.’” He wrote how he would love to farm the field. He explained that the local council wanted to make a clemency plea for him and since the community had no carpenter, he did not need to worry about the presence of a master carpenter. He claimed that if he had not had poor parents who carried out honest and hard work, then he certainly would not have been “a bag of cement for the ‘public welfare’ (*Salus*

publica’)” in prison. He said that his life “can only be understood sociologically, a charlatan or psychologist (*Seelenforscher*) is not suitable.”¹⁹⁹

Christian hoped to prove how it would now be possible for him to take his proper role in society as a man, both socially and economically. He could serve as a husband, father, and breadwinner on behalf of the women in his family and he could have permanent, stable work as the community carpenter. He would be rooted, no longer in danger of becoming a vagrant, and he would even own a piece of land. Although Voigt had spent over a decade in one of the largest cities in Europe, he attempted to show how if he were permitted to settle down in his wife’s homeland, he would become a good citizen because his social identity as a man would be grounded by his ability to now abide by the conventional modes of a small, rural community.

In a long rambling manner, Christian tried to protest against any potential charges that could be made against his release, including previous psychiatric opinions about him. He called attention to the way that he had raised himself up to be an educated worker from his unfortunate background and explained that he had become intellectual because of his time in Garsten—that what had been denied to him in school and society had been provided to him through the “honest society” of prison. He stated that he had “a strong will,” that he was “a mentally and ethically healthy person,” and that he was “a person who goes forward by his own might” (*Aufwärts aus eigener Kraft!*). He described himself as “a scientific teetotaler” and claimed that “not a drop more of alcohol” comes over his lips, that he was “a fully chaste youth” until he was twenty years old, and that his wife could testify that in their short marriage “he was a friendly and good husband, also sexually!” He also told about how his son and younger brother died in the war and his

¹⁹⁹ WStLA, Landesgericht für Strafsachen, A 11, Vr LG I., Fasz. 286, Nr. 7601/1910, Bl. 341.

youngest brother had a butcher shop in Sonneberg and “served from the first to the last day in the field.” He also wrote about his mother who “died at the age of seventy-one from grief and sorrow after she believed that he had died. This mother who worked so much and so hard, yet could not be much of a mother for her children because she only received a starvation wage. She did not know that her son still lived in an Austrian prison.” Voigt based his argument for his release not only on his mental, ethical, and sexual health and abstinent lifestyle, but also for the sake of the patriotic efforts of his family and the memory of his mother.

Voigt did not necessarily express remorse over his crime, however. To the contrary, he explained why his deed was not so bad. He said that he “was sorry for his previous life and that he would have preferred not to have been born than to have undergone this suffering.” But he stated that he was only “a small criminal (*Übeltäter*) in comparison to the enormous crimes, that the whole people has endured and still endures” since “millions of innocent people scream for atonement and find no public prosecutor, court of justice, or a paragraph [law]” and that “to be mistreated by one’s own compatriots (*Volksgenossen*) is still worse than when Congolese and Moroccans trample all over our bodies.” He minimized his identity as a criminal, and instead, reiterated his identity as a worker and his desire to work again: “I was always fully a worker and can work and want to work for a poor woman and my children, even as educated as I am.” Later in the letter he also objected to having been “much too harshly punished” and stated, “I am sorry, but I must say again that the victim is at least as guilty as me. I did not look

for it and I wanted nothing from her; my protocol before Weinberger is still as true today as then.”²⁰⁰

He closed the letter with four reasons why he should be released. First, he said that he considered himself “to have been punished since birth” since “despite good, hard work I could hardly earn enough to eat.” He explained:

Twenty-two to thirty-one pfennigs per hour and five crowns per day is enough to remain an animal and have the worst fodder, the worst living space, and the worst clothes. A person is what he eats, how he lives, and how he is dressed. A person is what is made out of him. Since I was six years old my physical strength was an advantage for others to make use of and my mental development was neglected or temporarily depraved (*verdorben*).

He did not attribute the injustice in his life to heredity, but rather, he blamed environmental factors. Second, he wanted to show how he did not consider himself to be in the same category as other criminals. He said that he voluntarily became a hermit the last ten of the twelve years that he was in prison and that he would isolate himself more if he could. He explained that it was not “a psychosis,” that he was “fully sociable,” but that he could not live among such a community since he was a person of a “social mindset.” Third, he explained all of the ways that he had suffered during the war and that not one day was he allowed the necessary daily amount of bread. He said that “a person in the Ice Age had had it better than him.” Fourth, he claimed that his moral life was good (since he was accused of having a moral defect previously). He explained:

I hunger, I freeze, I work, and I don’t complain; is that not the ideal type of a fakir? But I am a carpenter and no Indian penitent. I am born for freedom and to work. I am a German-Austrian penitent...I atone for the sins of my organized fellow men, to whom I am not worth more than waste-product to be thrown in prison...I am neither a dogmatic nor a fanatic in order not to notice that I am put here in the interest of society, but am loyal under all of the circumstances. Under such a change in social

²⁰⁰ Ibid., 342-43.

and family circumstances, the court authority could also make my 'freedom' in the interest of society (*Sozial interesse*).

By defining himself as a worker and as a person born for freedom, Voigt tried to argue that after his having served penance on behalf of his fellowmen, his improved social and familial situation could now allow the authority of the court to promote the interest of society by releasing him. Furthermore, he argued that "the function of justice should consist not only in crushing but also in reconstruction and make a man of me." He requested that the office of public prosecution of the Republic of Austria give him back to his family while he was still capable of work in order to have a little joy in a miserable life. In other words, by returning him to his family, the state could help him take his proper place in society as a man—that is, as a man who could freely work in order to care for his family.²⁰¹

In the summer of 1922 Emma wrote about her three children by Christian, the oldest son, who died in France in 1918 at the age of twenty who was her help, the middle daughter who was soon to be twenty-one years old, and the youngest daughter who had supported her was now married and lived away from home at the age of nineteen. She wrote that her family had not seen Christian for nineteen years. She explained how her eyesight had become weak from work and she could no longer come through life's difficulties. She lamented how she "had no one left in the world to help her and how there was a big strong person in the world who would like to help them but he can not." She said that Christian "suffered long enough in prison and still more through the hard war." She said that he was a capable and hard-working person and he suffered from something in his youth, but she could see from his writing that he had become a

²⁰¹ Ibid., 343-44.

respectable person. For her daughter's sake, she pleaded to have Christian released. She said she closed the letter with a heavy heart and hoped that she would soon get her husband back to help her.²⁰²

In the winter of 1923 Emma wrote again, saying that she could not write much because she had the flu for the past five weeks. Because of her terrible pain she could not earn any money, and as she had no help, the situation was very sad. She had heard that Christian would be home by Christmas, but she hoped that he could come home sooner in order to work during the summertime and be of more help to them. She wrote that she could not understand why he had been imprisoned for so long since he “has always been an honest worker and not a criminal since he had not robbed or stolen.” She said that unfortunately her present community could not vouch for him because they had previously lived together only in Sonnenberg. She lamented, “O is there no one in the world who has a heart and who can really watch how a family goes under and lets them die of starvation?” She pleaded that they send him home and bring their suffering to an end. She claimed that “there was much to regret since Christian was the best person that he could be, he had had bad luck with what happened, and now must sacrifice his life.” She repeated her urgent request for help as the times became more difficult because she could not work because of her eyes and closed the letter by saying that she could not write anymore.²⁰³

It is not clear how Christian communicated his crimes to Emma, such that she would have described his crime as the result only of having been unlucky and would have

²⁰² Ibid., 345.

²⁰³ Ibid., 357.

viewed him as having sacrificed his life in prison. At any rate, Emma was primarily concerned about her family not starving to death after the war. She also believed, that an attempt to make a living through honest labor, rather than by stealing and robbing, would indicate that Christian was not really a true criminal, who intentionally committed bad crimes such as theft, but rather an honest worker. Not only had Christian also implied this distinction in his essay, but he had also emphasized how his parents had carried out “honest and hard work” in his letter. Despite Emma’s desperate pleas, Voigt was not released. When Voigt was released years later, he settled in Nuremberg. There is no indication that Voigt ever went to live in Fehrenbach. Corino also noted that Voigt remarried in 1934.²⁰⁴

Conclusion

The case of Christian Voigt shows how a case of violent crime committed by a repeat sex offender diagnosed with borderline mental abnormalities was handled by some of the foremost psychiatric and legal experts in modern Germany and Austria before the law provided for cases of diminished responsibility—that is, before criminal courts were allowed to order psychiatric treatment in an asylum for a convicted criminal.²⁰⁵

Authorities upheld the legal jury court process and regarded his crime as murder, barred the door to a return to an asylum, granted a pardon from the death sentence, released him early from his life sentence, and placed him in Protestant workhouses.

²⁰⁴ Corino, “Contribution of Biographical Research,” 305.

²⁰⁵ Wetzell, “Psychiatry and criminal justice,” 281.

While legal attitudes toward serial murderers would stiffen by the late 1920s in Germany,²⁰⁶ the relative sympathy shown toward an intelligent sex murderer in pre-war Vienna reflects a transitional moment in the liberalization of modern criminal justice systems among German-speaking Europeans in which attention had been refocused on the criminal rather than the crime. The sociological, psychological, and legal uncertainty about criminality, in general, and Lustmord, in particular, helps explain not only why Voigt's case attracted widespread public attention at the turn of the century but also the ways in which Voigt's own self-justification and self-presentation are reflective of and shaped by those uncertainties.

Voigt's self-conscious responses to his crimes and his diverse strategies to avoid spending his life in an asylum by first attempting to argue that he should not be held legally responsible for his crimes and then by attempting to do everything in his power to be held legally responsible for his crime also reveal some of the parameters for self-definition and the contestation of individual identity in the shifting context of urbanization, rapid industrialization, secularization, professionalization and the rise of mass media before and after World War I. Voigt's personality and behavior challenged psychiatrists' beliefs concerning his mental sanity and sadistic impulses, causing them to invest much time and resources in carefully examining him, his previous mental, sexual, criminal, familial, and personal history, and their understandings of Lustmord. His attempts to justify himself relied, however, on what he regarded as more fixed points of reference: gender expectations, honest labor, and life in a rural community. Although

²⁰⁶ See chapters 12 and 13 in Richard J Evans' *Rituals of Retribution: Capital Punishment in Germany 1600-1987* (New York: Oxford University Press, 1996). See also Kerstin Brueckweh's chapter on Haarmann in *Mordlust. Serienmorde, Gewalt und Emotionen im 20. Jahrhundert* (Historische Studien, Bd. 43, Campus Verlag: Frankfurt a.M./New York 2006) and Maria Tatar's chapter on Kürten in *Lustmord: Sexual Murder in Weimar Germany* (Princeton: Princeton University Press, 1995).

nineteenth-century legal positivist thought in Europe and the United States had tried to separate law and morality, Voigt had conflated moral responsibility and legal responsibility. Drawing on his understanding about what were appropriate expectations for a man—e.g., being a responsible, honest, hard worker, providing for one’s family, and not behaving overly aggressive, physically or sexually—he tried to show that he was not at fault for the environmental factors that had prevented him from taking his proper place in society as a man and that with the proper provision and education, he was now capable of doing so, should the state enable him to do so. The way he attempted to assert himself also showed that he recognized the dominant modes of communication of those who held power over him, and by attempting to speak on their terms (through a display of self-confidence and the use of rational expression and “scientific” knowledge), he could attempt to prove that he was not a deviant male.

Before closing, several other widespread developments in German-speaking Central Europe which also influenced the ways in which Voigt’s case played out are mentioned here only in passing. Asylum overcrowding (a problem which had also plagued the asylum in Bayreuth in these years²⁰⁷), a largely middle class “lunatics’ rights” movement (*Irrenrechtsreform*), (or anti-psychiatry movement as it was called by

²⁰⁷Since the second half of the nineteenth century, severe overcrowding plagued asylums across Germany. Despite multiple expansions of the Kreisirrenanstalt in Bayreuth (renamed “Heil- und Pflegeanstalt Bayreuth” in 1906 as part of a wider attempt throughout Germany to revamp the psychiatry’s professional image after the damaging scandals of the 1890s), the asylum tried to fight problems of overcrowding almost since its opening. Since the high point of overcrowding for the asylum came in 1904, overcrowding was presumably one factor in Voigt’s release. Moreover, after German unification, provinces became legally responsible for the care of the poor and the sick because of staggering financial costs (caused by rapid industrialization and urbanization) which local communities could no longer afford to pay. (Because provinces were now financially responsible for psychiatric care, state officials attempted to reduce these financial burdens and alleviate institutional overcrowding by contracting private entrepreneurs and by subsidizing religious asylums). Engstrom, 30, 178, 185; www.geschichtswerkstatt-bayreuth.de/psychia.htm (*Auf den Spuren der Psychiatrie in Bayreuth. Ein historischer Überblick*. Bearbeitet von Heike Götschel und Ekkehard Hübschmann. Bayreuth 1994. 12 S.); and www.bezirkskliniken-oberfranken.de/pages/html/bayreuth/ueber_uns/unser_haus/chronik.html.

its opponents, who feared being mistakenly placed in an asylum), and a general trend toward a more moderate consumption of alcohol (as Voigt was probably influenced by those, such as Forel, who had advocated abstinence from alcohol, especially for asylum inmates) all characterized late-nineteenth- and early-twentieth century Imperial Germany. The change in regime after the war from an empire to a republic in Austria also undoubtedly played a role in Voigt's release.

My hope in this chapter is to build on recent scholarship in the history of criminal justice that has emphasized the previously overlooked liberal side of the modern German criminal justice system in this period,²⁰⁸ arguing that there was no direct line between Imperial and Nazi Germany as regards exclusionary processes against criminals.²⁰⁹ This case study supports historian Daniel M. Vyleta's argument that constructions of murderers as pathological others and beasts in the manner one finds in the late 1920s and early 1930s, in German newspapers at least, does not pertain to pre-war Vienna in this particular historical moment.²¹⁰ Even though psychiatrists and jurists viewed Voigt as "degenerate from birth" they, and the press, did not regard him as a monster, but rather found Voigt's unfortunate, degenerate, ethically defective background (combined with his consumption of alcohol before the crime) as grounds to pardon him from the death penalty. This specific historical context of fin de siècle Vienna and the complexity of Voigt's personality also helps explain why Musil could so easily create a sympathetic account of the sex murderer, Moosbrugger, in Musil's attempt to love the other—even

²⁰⁸ Wetzell, "Psychiatry and criminal justice," 271.

²⁰⁹ See Richard F. Wetzell, *Inventing the Criminal: A History of German Criminology, 1880-1945* (Chapel Hill: University of North Carolina Press, 2000) and Daniel M. Vyleta, *Crime, News, and Jews: Vienna 1895-1914* (New York: Berghahn Books, 2007).

²¹⁰ Vyleta, *Crime, Jews and News*, 155.

the criminal—as well as why Musil used the theme of *Lustmord* to represent his responses to what he saw as the complete breakdown of identity and moral absolutes after World War I.

This case study also broadens the history of Austrian sexuality by showing how a wider cultural crisis of identity made evident through the window of *Lustmord* explains the shift of attention from the crime to the criminal in not just the law and psychiatry, but also in criminalistics (modern forensics), art, society, and the press. Germanist Scott Spector has observed the shift in attention from harmful acts to perverse identities in another pre-war Viennese case, in which determining the sexual identity of the male perpetrator was more important than the male child molestation of which he was accused, and the ways in which mass media made the private visible.²¹¹ However, Spector did not link his observation to the broader legal, criminological, criminalistic, and journalistic context in pre-war Vienna which explains this shift. Moreover, attempts to define sexual identity were only one piece of a larger story to define and order individual identity in this period. Furthermore, although there was a shift in attention from the harmful acts Voigt committed to his perverse identity as a sex murderer, behavior, as in the case of Voigt and Kustor, actually played a key role in determining how experts viewed and attempted to define a person's identity—that is, his or her mental ability, sexuality, and reliability as well as how a person should be treated legally in the court of law and thereafter.

Lastly, this case study illustrates the cultural investment in ascertaining the legal responsibility of the criminal—by deciphering his or her motivation and mental health—

²¹¹ Scott Spector, "Where Personal Fate Turns to Public Affair: Homosexual Scandal and Social Order in Vienna, 1900-1910," *Austrian History Yearbook* 38 (2007): 15-24.

in order to determine how to treat the criminal rather than enforcing a fixed punishment based solely on the type of crime committed. Although German-speaking liberal reformers had hoped to create a more humane justice system that turned toward preventative rather than punitive measures, including non-penal treatment such as education, medical treatment and workhouses,²¹² the attention they placed on the individual criminal did not necessarily work to the advantage of victims of sex crimes. The cultural treatment of victims of violent sex crimes as witnesses only, whose experiences were heeded only in so far as they could help determine the degree of legal guilt of the offender, would characterize modern criminal justice systems well into the latter half of the twentieth century.

²¹² See Richard F. Wetzell's forthcoming project, *The Politics of Punishment in Modern Germany: Reforming Criminal Justice, 1870-1970*.

Chapter 4: The Case of Carl Grossman in Post-War Berlin (1921-1922)

Introduction

Karl Friedrich Wilhelm Grossmann²¹³ attracted and lured a disturbing number of working-class women and girls into his filthy apartment, despite, by all accounts, being an unattractive, run-down looking man in his late fifties. The police apprehended him on the night of August 21, 1921, when they walked into his apartment and found both him and his still barely conscious murder victim, thirty-five year old Marie Nitsche, naked and covered in blood. With some women, Grossmann had had normal sexual relations. Other women he had used perversely in various ways by tying their legs spread eagle to bedposts, tying their hands behind their backs, choking them, plunging sharp objects into their sexual parts, inserting his entire hand and turning it around several times, or trying to rip out certain internal parts. Some of the women he drugged first. Some women he murdered. These women he disfigured and cut up into pieces in order to dispose of their corpses in nearby waterways, as was not unheard of at the time in Berlin.

In an unexpected pairing of scenes in Fritz Lang's film *M* (1931), the local police and professional criminals independently but simultaneously discuss amongst themselves how to go about trying to catch an unidentified notorious serial murderer of children. The criminals discuss how they can catch the perpetrator so that the police will no longer keep such a close surveillance on the town, since this surveillance prevents the criminals from carrying out their own illegal activities. The police, in an opposite scene, surmise that the murderer must have a normal side, where he plays marbles with kids or cards

²¹³ Carl Grossmann's name is spelled with a "K" in many official documents, however, he himself always signed it with a "C."

with his wife. They assume that otherwise previous murderers like Grossmann or Haarmann could not have lived for years without being suspected by their neighbors.²¹⁴ This fictional portrayal of Grossmann was correct in that Grossmann was by no means an anonymous serial killer like Jack the Ripper, although his crimes did occur in one of the poorest sections of Berlin, just as Jack the Ripper's crimes had in London's East End. Grossmann was in fact a familiar figure in his neighborhood, the Silesian train district, especially on Andreasplatz where he daily picked up women and girls. However, in contrast to the depiction of Grossman in *M*, Grossmann's questionable reputation was no real secret to many. At times, Grossmann was quite cunning in doing as much as he could get away with as regards women, but at others times he strangely made very little attempt to hide his abusive proclivities. The most unbelievable aspect about the case of Carl Grossmann is that his behavior for many years could not but attract the attention of those who came in close proximity to him. In no way did his sexual crimes and murders against untold numbers of women "just happen." Many contingencies made the magnitude of Grossmann's crimes against girls and women possible.

Historian Sace Elder's excellent analysis of this case in her recent book *Murder Scenes: Normality, Deviance, and Criminal Violence in Weimar Berlin* (2011) historicizes the reasons why women would have been less likely to report Grossmann, how the press subsequently masked the conditions that had led women to turn to Grossmann for food, money, clothes, shelter, and work as his housekeeper, and the social, economic, and physical geography of the Silesian train district in post-war Berlin. The press falsely portrayed the women who did come forward after Grossmann's arrest as

²¹⁴ Fritz Lang, *M*, (Chicago: Home Vision Cinema, 1997), VHS.

being socially marginalized women—that is, prostitutes or migrants from outside the city. I would like to add two points. First, historian Peter Fritzsche’s account of the sex murder of Lucie Berlin in another proletarian section of Berlin in 1904 prompted positive discussion about Berlin, crime, prostitution, and social reform, but in post-war Berlin, Grossmann’s many violent crimes did not have the same effect, as Elder’s work demonstrates.²¹⁵

Second, taking a closer look at Grossmann’s neighbors reveals a hierarchy of crimes in German legal and popular culture including murder, theft, unregistered addresses, and sexual violence as well as the important role confession played in German legal culture. While Grossmann felt free to avail himself of the police when he believed that women stole money from him, the women he abused were afraid to go to the police if they did not have a fixed address and did not want to be suspected of solicitation.²¹⁶ Grossmann also claimed that the reason that he killed Nitsche was that she had been trying to steal money from him. In the case of Christian Voigt, Christian and his ex-wife Emma defined “true criminality” as instances in which criminals intentionally stole rather than working honestly. They discounted the fact that Christian had been twice convicted of sex murder in addition to other sex crimes. Although authorities extended the investigation in order to determine how many murders Grossmann might be responsible for, he was only charged with three because he only confessed to three. In Feuerbach’s case of Andreas Bichel, Bichel was convicted of two after he confessed to both of them

²¹⁵ Peter Fritzsche, “Talk of the Town: The Murder of Lucie Berlin and the Production of Local Knowledge” in *Criminals and Their Scientists: The History of Criminology in International Perspective*, ed. Peter Becker and Richard F. Wetzell (New York: Cambridge University Press, 2006), 378.

²¹⁶ Sace Elder, *Murder Scenes: Normality, Deviance, and Criminal Violence in Weimar Berlin* (Ann Arbor: The University of Michigan Press, 2010), 89-90.

and in Ilberg's cases, the men convicted of manslaughter did not confess and were treated more leniently in German courts of law.

Many of Grossmann's neighbors could not help but notice his strange activities, but even though he continually brought women to his apartment, none of his neighbors turned him into the police. Some of his neighbors had even tried to intervene and one set of neighbors had already even made him move out of their neighborhood. The married couple, the Itzigs, who did finally turn him into the police, had their own reasons to extricate themselves from their relationship with Grossmann, and the police overlooked any evidence against them.

Grossmann's Neighbors

At the time of his arrest Grossmann lived in a one room apartment on the fourth floor of an apartment building on Langestraße 88/89, surrounded by neighbors who did not fail to notice his conspicuous comings and goings and his ever present company of women. Some also noticed women standing undressed in his window or the hallway. Neither did many fail to hear screams, thuds, and hacking from his apartment, nor did any fail to smell the awful odors that emanated from his apartment and the suspicious packages he carried. Indeed, they were very quick to report all of Grossmann's suspicious activities to the investigating police after the fact. A few even said they had kept a conscious watch on some of Grossmann's daily habits.

The investigating police questioned over twenty of Grossmann's neighbors who had observed something strange about Grossmann's behavior. All of these neighbors lived or had recently lived in the same building as Grossmann on Langestraße 88/89,

except for one, who lived on Langestraße 87.²¹⁷ Each of these neighbors responded in a variety of ways. Certainly there were a few neighbors who were not that well acquainted with Grossmann and only recently noticed one or two isolated aspects of his strange behavior, such as the odor or the packages. Yet, there were other neighbors who knew significantly more but chose not to greatly involve themselves. There were several neighbors who made some small attempt to question Grossmann and several others made an effort to report how they had made some type of attempt to intervene. However, none of these neighbors who made at least some attempt to intervene turned to the police, despite Grossmann's alarming behavior. Several female neighbors were even bothered by Grossmann.

The police questioned most of Grossmann's neighbors about what they knew about Grossmann during the two days following Nitsche's murder on August 22 and 23, 1921. The forty-three-year-old merchant, Leopold Gärtner, told the police that he had known Grossmann for two years and used to talk to him about business. His remarks expressed little surprise over Grossmann's character. However, the way Gärtner so directly expressed his knowledge as though he suspected all along all of this about Grossmann is interesting, because it is not the typical reaction among the statements made by Grossmann's neighbors. Gärtner's attitude is much more cool, distanced, and matter of fact. Gärtner stated, "I have gotten the impression that he [Grossmann] is a colossal pervert. I have often seen him coming home with two women." Then he went on to add how two weeks ago as he was unloading potatoes around 9 p.m. Grossmann

²¹⁷ Max Lemm, Klemens Netter, Mannheim and Helene Itzig, Ms. Dresse, Konrad Böhm and Anni Roestel, Max and Martha Neumann, Max Hartung, Rosalie Walter, Willi Bendit, Frieda Klippel, Klara Matthew, Max Wolf (Langestraße 87), Helene Föllmer, Leopold Gärtner, Helene Lehmann, Kurt Hampel, Herta Natusch, and Maria Raase.

came from his apartment with a package with a strong odor. Gärtner said that they talked about ten minutes and then Grossmann left, and then Gärtner added that the package was wrapped in gray paper or in linen cloth. He concluded, “I never trusted Grossmann to do any good.”²¹⁸

While Gärtner was able to safely distance himself from Grossmann while still trying to report what he knew about Grossmann, the other extreme is the response of the twenty-five-year-old peddler, Max Hartung, which is bizarrely self-implicating. Hartung remarked how he often saw “Grossmann almost daily bring several girls to his apartment, whom he then used in every manner possible.” Hartung said that he “often observed this through a small hole in the door.” Then he went on to talk about the horrible odor that emanated from Grossmann’s apartment. Hartung had actually watched what Grossmann did to women! Hartung, unlike the other neighbors who admitted some knowledge, made no attempt to show that he tried to intervene in any way. The police records do not appear to show that the police found Hartung’s statement especially odd in any way.²¹⁹

A few neighbors tried to ask Grossmann questions about his strange activities. Twenty-five-year-old Frieda Klippel lived directly beneath Grossmann. She stated that she often heard screams, moaning, and knocking and that Grossmann often left his apartment at 3, 4, and 5 a.m. She often watched him go out from her window, but could not see much. She said that she could hear the knocking but only at night from 12-3 a.m. She said that she had asked him if he hacked wood, and he always said that he hacked wood. She said, however, that she had always seen him bring only small wood in

²¹⁸ LAB A Rep. 358-01, Nr. 1522, August 22, 1921, Bd. 3. Statement by Leopold Gärtner.

²¹⁹ Ibid. Statement by Max Hartung.

bundles into his apartment. Clearly Klippel found Grossmann's behavior more than a little suspicious.²²⁰

Willi Bendit had known Grossmann since August 1919, when he lived at that time in the same house. He remembers watching Grossmann come home each day with many young girls aged sixteen to twenty-two. Bendit said that they were mostly girls who were unknown or had run away from home. He went on to say that until around 4 a.m. one would hear strong moaning. When someone got up and complained, Grossmann would always say that they had cramps. So it went for half a year. Bendit went on to tell about a specific instance when he thought Grossmann was trying to hide something from him. Bendit told a story as follows about two young girls, Lucie and Frieda, estranged from their parents and who had come to work in Berlin. After they quarreled, Frieda left Grossmann and went back to her parents. After Lucie was with Grossmann about four days, she disappeared without a trace. When Bendit asked where she could be, Grossmann said he sent her to a farm in Pommern. A short time later, Frieda returned and stayed with Grossmann three days. Then she disappeared. When Bendit asked Grossmann about her whereabouts, Grossmann said that he had sent her to a farm, that he should no longer bother with females. Since Bendit was good friends with Grossmann, Grossmann had told Bendit before Grossmann met these girls that he had a garden cabin and Bendit should visit him there sometime. After the girls disappeared, Grossmann did not want to speak anymore about it. Each time Bendit asked about it, Grossmann said to leave it alone and they should go for a drink instead. Bendit told the police that, for this reason, he assumed that Grossmann must have committed a crime against the girls in this garden cabin and there hidden something that Grossmann would not want to publicly

²²⁰ Ibid., August 23, 1921, Bd. 3. Statement by Frieda Klippel.

divulge.²²¹ Perhaps Bendit did not report the disappearance of these girls because he was good friends with Grossmann, he felt that he did not have enough evidence despite his suspicion, or he only allowed himself to try to piece together the possible fate of the girls after Grossmann's arrest.

Others who reported that they knew a bit more attempted to account for how they had responded to what they had observed. The thirty-three-year-old mailman, Max Neumann, was careful to protect himself while trying to provide information against Grossmann. Neumann lived on the fourth floor, the same floor as Grossmann, for two years and had often observed that Grossmann brought women to this apartment. According to Neumann these women were mostly run-down looking women. He claimed, "What he did with them, I can't say, only that I very often heard these very persons scream loudly in the middle of the night." He also claimed, "It was not screams for help but weeping and wailing and Grossmann then took the persons from his apartment almost every time." However, this claim does not match other testimonies. Neumann also added that during the past two weeks he had noticed an especially strong smell of decay and that Grossmann promised to take care of it at once when he had questioned Grossmann about it. Neumann added that he could not say how this smell came about. He also mentions that he saw the persons Grossmann brought with him sometimes standing naked in the window.²²²

In comparison, his thirty-two-year-old wife, Martha Neumann, said that she could see Grossmann's window from the kitchen window. As her husband had also reported, she said that she often saw naked women in Grossmann's room from her window. She

²²¹ Ibid. Statement by Willi Bendit.

²²² Ibid., August 22, 1921, Bd. 3. Statement by Max Neumann.

went on to explain how another neighbor, Klemens Netter, normally would take his mealtimes with her. About two or three months earlier, there had been a lot of commotion around 1:30-2 a.m. from a woman who had called for help. She said that they both took it upon themselves to complain and insist that Grossmann let the woman out of the house. Grossmann obeyed. But she said that in that same night Grossmann brought another woman into his apartment and that this woman also called for help. She added, “What became of this woman, I do not know.” Max’s response reveals that he attempted to exclude himself from responsibility and denied that these women’s screams were worthy of any sort of intervention since they supposedly were wailing and not calls for help. The response of his wife, Martha, shows that women did call for help and that her intervention did in fact make a difference. However, her response also shows how she felt that her involvement was somehow not worth the effort of repeating. She also implicated Grossmann by saying who knows what he did to the other woman, but distanced herself from knowledge by saying she did not know. Clearly, however, she and possibly Netter and her husband Max could have made it their business to ensure the safety of this second woman and possibly other women. In this way, they accepted Grossmann’s behavior as normal for Grossmann and possibly felt that intervention was not worth the bother since he would “only” continue to harm other women.²²³

Max Lemm, a forty-year-old train operator, who had lived near Grossmann and known him for the past two years, said that Grossmann’s disruptive behavior had always attracted attention. For the last six months he had kept tabs on Grossmann taking women into his apartment at all hours of the day. According to Lemm, the women were mostly

²²³ Ibid. Statement by Martha Neumann.

prostitutes, some were also decent women that Grossmann picked up on Andreasplatz and the Silesian train station where he hung out, and some were from outside Berlin. Lemm said that he also saw women totally undressed standing in Grossmann's window, but he was careful to note that he did not see what Grossmann did with these women.²²⁴ Lemm went on to claim that ten or eleven weeks earlier he had threatened to break into Grossmann's apartment after he had heard a cry for help from a woman between 12 and 1 in the morning. Lemm said that he himself had seen this woman standing undressed in Grossmann's window. Lemm said that after he reproved Grossmann, it became quieter. The thirty-two-year-old chauffeur Klemens Netter had known Grossmann since 1920 when Netter moved in. He also reported repeatedly having seen naked women's forms standing in Grossmann's window. Netter said that he did not hear the cry for help but he did hear when Lemm called for Grossmann to let the woman loose, and Grossmann told Lemm to shut his trap. Then Netter said he went to sleep again.

Lemm said that on another occasion about seventeen days earlier, he saw Grossmann's light on between 10 and 12 at night with the window closed and curtains drawn, which was never the case usually. He later saw a woman come down the stairs with a torn dress and underwear. Her hair had come undone. When he asked her what she had to do with Grossmann, she said that she was often at Grossmann's and that she always received something to eat from him. He said she told him that Grossmann wanted to choke her and tie her legs and then because of this she bristled up. Lemm said that at his shout Grossmann had let her go. When Lemm took Grossmann to task, Grossmann himself told Lemm about this incident and explained that the woman may have passed out.

²²⁴ Ibid., August 22, 1921, Bd. 1. Statement by Max Lemm.

Netter also said that about twelve to fourteen days earlier he noticed Grossmann's light on until about 2 a.m. Netter said he heard sounds similar to when someone hacks wood. In the next days he noticed the usual smell that came from Grossmann's room. When Netter and several neighbors, Helene Itzig, Mrs. Dresse, Konrad Boehm, and Max Neumann noticed it, Netter said that Grossmann explained to Neumann that it came from a decomposed rabbit. Netter also said that Hartung had said that the dead rabbit had been carried out of Grossmann's apartment. Additionally, Rosalie Walter and Helene Föllmer had told Frau Neumann that they had watched Grossmann and that he carried packages out of the house at night. Some of the neighbors had begun talking among themselves about the putrid odor and even about the packages several weeks before Nitsche's murder.²²⁵

One neighbor exerted a bit more effort—at least over the course of the investigation. Konrad Böhm, a twenty-four-year-old house painter, assured the police of his ability to provide evidence against Grossmann because in his first statement to the investigating police he noted how he lived in the room next to Grossmann's and could clearly hear almost every word that was spoken in Grossmann's room. Böhm must have been privy to quite a bit; his presumably genuine desire to help out the police provides some very useful information, at least to us, as will later be evident. In his first statement to the police on the day following Nitsche's murder, if he had not already before, Böhm could connect some of the dots regarding Grossmann's behavior by this point. Böhm recalled how on the night of August 6,²²⁶ he and his fiancée, Anni Roestel, had heard a

²²⁵ Ibid. Statements by Max Lemm and Klemens Netter.

²²⁶ In his first statement he said August 5 or 6, but in his second statement the following day, he determined that it was the night of August 6.

struggle between Grossmann and a woman that he had brought home, and then a one-time moaning around 11-11:30 p.m. Then it became quiet and a short time later they heard a very clear dull banging that lasted until about 2 a.m. In his testimony two months later on October 20, 1921, he stated that he had said to his fiancée, “Listen, how he deals with one again” and that the light burned in Grossmann’s room until 2 a.m. Böhm went on to report in his first statement how around 4-4:30 a.m. Grossmann left the apartment alone and Böhm was sure that no one had left before that. Böhm explained that the reason he did not look after Grossmann was because Grossmann became excited when one did and would become mean. Böhm said that on the following evening around 9 or 10 p.m., he had his door somewhat open and then he saw Grossmann leave his apartment again with a box and a packet under his arm. Grossmann had his window covered on that day and for the next two days. He also did not bring any women into his apartment. During this time, a smell came out of Grossmann’s room like spoiled, decaying blood.²²⁷ In a statement the next day on August 23, 1921, Böhm recounted how he and his fiancée did not see the girl come out of his apartment and that they never saw her again.²²⁸

His twenty-seven year old fiancée, Anni Roestel agreed with Böhm’s testimony and added that it had gone this way with Grossmann during the previous years and that she had often heard dull thuds possibly of the bed hitting the wall from his room. Böhm said from his testimony on October 20, 1921, that it was mostly prostitutes that went in and out of Grossmann’s room and that Böhm often heard Grossmann quarreling with the

²²⁷ Ibid. Statement by Konrad Böhm; Ibid., October 20, 1921, Bd. 4. Statement by Konrad Böhm.

²²⁸ Ibid., August 23, 1921, Bd. 3. Statement by Konrad Böhm. (The document says August 22, 1921, but Böhm said in this document that his second interview occurred one day after first interview). His description of the woman sounds like Johanna Sosnowski.

women. Roestel said that she had not noticed the burning, pestilent smell until three weeks earlier, however. She also commented that the others also had wondered about the smell but they reckoned it came from a dead rabbit that Grossmann had not disposed of.²²⁹ On August 24, 1921, Böhm added that Roestel had tried to watch Grossmann from their kitchen window when she could hear Grossmann getting rid of something using a pail around 10 p.m. and observed that he came back an hour later. She stated that she did not know what was in the pail.²³⁰ While Anni Roestel complained of Grossmann's behavior having gone on for the past several years, Böhm, who as an exception, increasingly took it upon himself to try to take action by trying to help the police during the investigation. He might possibly have not acted sooner since he had only begun to live next to Grossmann since the end of June 1921.²³¹ Or perhaps he had tried to work with the police only after it came out that Grossmann had murdered women. It is not clear why they did not go to the police, especially after the events described above on the night of August 6 and what they could hear on the other side of the wall.

A couple of female neighbors had their own unpleasant encounters with Grossmann, but their efforts to intervene did not yield many results. However, neither did they consider turning to the police. Thirty-one year old Klara Matthee said she had lived one floor beneath Grossmann for two years until the previous February. She knew Grossmann only from seeing him, but she saw him take girls to his apartment almost daily. She almost always heard these girls scream and moan while they were in his

²²⁹ Ibid., August 22, 1921, Bd. 3. Statement by Anni Roestel; Ibid., October 20, 1921, Bd. 4. Statement by Konrad Böhm.

²³⁰ Ibid., August 24, 1921, Bd. 3. Statement by Konrad Böhm.

²³¹ Ibid., October 20, 1921, Bd. 4. Statement by Konrad Böhm.

apartment. Toward the end of January she knocked on his apartment door when a girl screamed a lot. She said that she asked Grossmann what was the matter since the girls always screamed so much. He told her that the girl, who was with him, was his girlfriend and that she had cramps, and that besides, it was none of Matthee's business. Matthee said that on the next day, however, she met Grossmann in the staircase and he propositioned her crudely inferring that she had wanted him to, and to her astonished response, he said that a poor woman like her could stand to earn some money and placed 200 marks on the stairs. Her boyfriend, Max Wolf, then came along and when she told him, Grossmann took his money and disappeared. Afterwards when she heard the moaning of the girls several more times she said that she did not pay any more attention to it. Certainly, Matthee did not want anything more to do with Grossmann for good reason. However, she and Wolf did not seem to consider reporting Grossmann's violent behavior that would cause screaming to the police.²³²

During the year 1919 until November 1920 Herta Natusch lived on the same hallway as Grossmann. Natusch said that she knew him pretty well and that he frequently propositioned her and once even offered her 100 marks to have sex with him. She declined every time, however, and this seems to have made Grossmann angry. They argued and this ended their friendship. Natusch moved a floor lower so that she would not have to meet Grossmann all of the time. She also made a point of adding that he often had children of twelve to fourteen years old with him. What he did with the children or with the many women he brought to his apartment, Natusch did not know. She did often knock on his door when the women moaned and screamed, but Grossmann always had some explanation ready and usually said, "You just shut your trap, you black,

²³² Ibid., August 22, 1921, Bd. 3. Statements by Klara Matthee and Max Wolf.

rotten bitch.” She often also saw the women Grossmann had with him naked in the hall or in the bathroom. And although she reprimanded him for this he did not stop.

Grossmann was also crazy for Natusch’s five-year-old daughter and used to give her chocolate without Natusch’s knowledge because he was trying to entice the little girl.²³³

Natusch appears to be the only neighbor who repeatedly attempted to intervene despite his meanness and attempts to intimidate her. In contrast to other neighbors’ attempts at intervention that were successful (reported by neighbors and women themselves), those by Matthee and Natusch were less successful.

In summary, Grossmann’s neighbors readily admitted to having witnessed his suspicious behaviors and almost all too easily confirmed that Grossmann was guilty of other questionable activities besides Nitsche’s murder. Some could not help but be aware of something odd, while others made a conscious effort to watch Grossmann closely and were well-acquainted with his daily habits. However, their surveillance and curiosity did not translate into putting a stop to his behavior. Many neighbors did not find Grossmann’s disruptive behavior pleasant to deal with and most expressed disapproval over the screams and moaning that they could hear from his room. Some accepted Grossmann’s behavior at some level as usual for Grossmann and something they often had to deal with or at least tolerate. While some chose not to greatly involve themselves, others did not let Grossmann’s aggressive behavior prevent them from confronting and reprimanding him. Isolated incidents of personal intervention proved highly effective in the moment in many cases. However, their individual efforts did not have a long term

²³³ Ibid., September 19, 1921, Bd. 3. Statement by Herta Natusch. According to a Martha Möser, she said a Hedwig Fischer had been advised by Mrs. Natusch, who had been a neighbor of G., that if she could not find employment outside of Berlin, she could work for Grossmann as his housekeeper. Fischer told Möser that Fischer would go there and would get new clothes and would be able to eat her fill.

effect because some settled just for getting Grossmann to quiet down and others gave up attempting to intervene. In the case of Matthee and especially Natusch, however, their personal attempts to intervene did not stop Grossmann because he viewed them as potential targets of his abusive behavior and tried to intimidate them. However, no one seemed to have considered going to the police to report Grossmann's constant brutality toward women over months and years. Other neighbors' attempts to explain what they knew and if and how they responded to do something or not (as in the case of Lemm, the Neumanns, Böhm) reveals that several did feel some responsibility to defend their own behavior, however, it was limited.

There are several possibilities why none of Grossmann's neighbors reported to the police what they clearly regarded as brutal sexual behavior. Perhaps they did not feel inclined to intervene with activities that were going on in the (relative) privacy of Grossmann's apartment. Perhaps they did not feel as burdened to intervene further because they regarded the women coming to Grossmann's apartment as extremely run-down homeless women, prostitutes, or destitute women whom Grossmann paid, and thereby deemed the women as less worthy of attention. Perhaps, they did not feel that the police would warrant their complaints about Grossmann's sexual brutality enough to do something about it or that the law would be powerless to do anything. Perhaps they did not want to risk Grossmann's ire since they had to live near him. Or perhaps they did not trust the authorities and wanted as little as possible to do with the police.

Furthermore, the police did not exhibit any strong expectation that they would have reported Grossmann sooner to them. However, it is clear from the statements that the neighbors also had to make some effort to be explicit about what they did *not* know to

the police. Even if they heard or observed some of Grossmann's behavior or otherwise inferred suspicious or harmful activity, they clearly reported that they did not *see* or know *exactly* what Grossmann had done to the women he brought home with him. They did not want to make themselves suspect in more obvious ways to the authorities. Yet, even in the case of Hartung, who instead of saying he did not know in what way Grossmann had used women (as others had testified), he stated that he saw Grossmann through the hole in the door use women in every manner possible. The police did not find Hartung accountable in any way for his knowledge of how Grossmann had used and abused many women or for watching Grossmann do this to the women. As we will see, the police placed much more emphasis on those who could provide information over any sort of responsibility for having knowledge. In some cases the police only held individuals responsible if they explicitly admitted guilt.

Previous Neighbors

Before Grossmann lived on Langestrass 88/89 he lived at several other addresses in Berlin and he also had owned a garden cabin in a suburban garden colony, to which Bendit had alluded. Grossmann's reputation of sexually illicit behavior was an open secret to many living in the garden colony. On August 24 the police interviewed a few of the people who lived in the garden colony. According to the note made by one of the investigators, Krieg, Grossmann had to sell the cabin in the spring of 1920 because the other inhabitants protested against his behavior. Krieg also concluded that it was obvious from the inhabitants' statements that Grossmann brought women daily to his cabin. Grossmann enticed women and children with presents and then told the children dirty

tales or even exposed himself to them.²³⁴ One such case, as a Mrs. Lange testified, was her young daughter Gertrud to whom he exposed himself.

Otto Krause²³⁵ affirmed that Grossmann often had women with him, fourteen to fifty years old. He said that there had been a rumor in the colony that Grossmann did more than just sex. Krause thought that Grossmann's generosity toward women and children was because Grossmann had probably wanted to entice them. Grossmann also used to carry a lot of money with him and would show it to anyone. Krause did not know where Grossmann got his money from.²³⁶

The women who purchased Grossmann's cabin, Bertha Weiher and Frida Wiederhold, had found bloody rags in the dirt floor of the cabin as well as pieces of women's clothing, buried in the corner where the iron stove stood. They sold the cabin three months later. They knew that Grossmann had had a girl in the cabin who had disappeared. They added that Grossmann often gave the children, but only the girls, sweets or money, but they did not know what else he had done to them. They also heard that he had done something to a girl from the garden colony named Klara.²³⁷

²³⁴ Ibid., August 24, 1921, Bd. 3. Statement by Krieg.

²³⁵ Krause did not refer to himself in his statement as a friend of Grossmann, but Weiher and Wiederhold mention him as having been a friend of Grossmann.

²³⁶ Ibid., August 24, 1921, Bd. 3. Statement by Otto Krause. It is not clear where Grossmann's money came from. He had a habit of showing it to people, presumably so they would believe that he had something to offer them despite his appearance. Grossmann peddled small goods, such as thread, shoelaces, buttons etc. Some wondered if he sold human flesh but it does not appear that Grossmann ever admitted this. A few testified that he often had meat to sell when there was little meat to be had at this time. (In legend, much is often made of this aspect). This man, Krause, recalled that Grossmann had a money order on his table that entitled him to take money out of the bank. The firm belonged to his married sister and her husband, Sophie and Karl Jonas. The police verified this by checking the office where residents must register where they live.

²³⁷ Ibid., August 24, 1921, Bd. 3. Statement by Bertha Weiher and Frida Wiederhold.

Although the police dug up the land around Grossman's former garden cabin on August 25, they found nothing. On August 30, the police questioned several more neighbors. The fifty-nine-year-old widow, Anna Hahn, had been acquainted with Grossmann since 1915, but had had no relationship with him. He was always hanging out in an inn where she worked. There Grossmann was renowned for his money. She had also seen that he gave chocolate and money to female children, including the daughter of colonists Frommke and Thomas. She remembered that Frommke's daughter also received a dress from him. Hahn herself never received a present from him.²³⁸

The forty-four-year-old married woman, Johanna Pagenkopf, lived near Grossmann. She reported that almost daily he brought girls from the street into his cabin, sometimes it was three or four. To her question of where he always picked up the girls, he answered in the food hall. Apparently he met them on Andreasplatz and they were hungry and wanted to eat and be satisfied at his place. During the whole time that he lived there, she heard at night and during the day cries for help and moaning from women. She also heard sounds of beating. Often the girls tried to look for refuge with her in order to escape mistreatment by Grossmann. Whether Grossmann only hit the girls or whether he mistreated them in another way, she could not indicate. It was also known

²³⁸ Ibid., August 30, 1921, Bd. 3. Statement by Anna Hahn. The married woman, Luise Ziemer, 18.9.85, lived near Grossmann's parcel of land. She later bought his pond. She had often the opportunity to see Grossmann take girls of a very low situation and who looked very run-down, into his cabin. When his cabin burnt down in 1915, he had a girl with him. She knew Grossmann gave the daughters of colonists money and chocolate, but for what reason she did not know. One time Grossmann gave her own daughter two marks. She forbade her child to ever take something from him again, she knew that he is a lecher. He had also wooed children among graves and shown them his private part. She also knew that he had given Klara, the daughter of Frommke, who lived in nearby colony, a dress. For what reason, she did not know.

Luise Ziemer's daughter, the schoolgirl Erna Ziemer, 21.2.08, had seen Grossmann coming in angetrunkenen circumstances. He came across her and her sister. He wanted to give her two marks. For what purpose she did not know. They did not take the money but ran away because they were afraid of Grossmann. He had often used indecent words with them and other kids, whose meaning she did not understand and now has slipped away. Ibid., August. 30, 1921, Bd. 3. Statements by Luise and Erna Ziemer.

to her that Grossmann gave the children of the colonists, especially the girls, money, chocolate, candy, and food. For what reason he did this, she did not know. It was also known to her that Grossmann, had one time bought Klara a dress. She had also seen that the granddaughter of Thomas, many times went to Grossmann, for what reason she could not say. The dead wife of Thomas had often expressed distress that her granddaughter always went to Grossmann. He was always very mean to her and she had often forbid her granddaughter to call on him, but the granddaughter did it over and over. She had often seen two sixteen-year-old girls whom she did not know visit Grossmann.²³⁹

These previous neighbors knew so much that they eventually wanted Grossmann to leave their garden colony. However, they did not go to the police to try to put an end to his activities. Instead Grossmann was free to continue his violent abuse elsewhere surrounded by new neighbors. Although Pagenkopf provided refuge for some females, she did not intervene directly. One woman, Marie Schneider, testified how the presence of nearby neighbors at least helped so that Grossmann did not do more to her. She said that she had known Grossmann for three to four years. Several years earlier she had gone with Grossmann to his garden cabin. After they ate dinner, Grossmann stuck his fingers in her vagina and wanted to tear everything out. She told him that it hurt and he tried to hit her but she defended herself. She also told him she did not want to walk around as a cripple but he promised her fifty pfennigs daily and food to eat. She was there for about two hours, but around 8:30 she left the cabin. She said that she could still see some

²³⁹ Ibid. Statement by Johanna Pagenkopf.

people in their cabins and that was probably why Grossmann did not do anything more.²⁴⁰

In this garden colony, on the edge of the city and not too far from Andreasplatz, Grossmann's neighbors had the social power of exclusion to push Grossmann out of their small community. They did not live in the same building as Grossmann, as his more recent neighbors had, but they recognized the clear danger that he presented to women and children and eventually dealt with him on their own, without turning to the authorities. They collectively limited the abuse that Grossmann could perpetrate in their midst.

The Itzigs

The neighbors who finally did turn Grossmann into the police on the night of Nitsche's murder, August 21, 1921, present a very peculiar case.²⁴¹ The young married couple, Mannheim and Helene Itzig, both twenty-seven years old, lived across the hall from Grossmann since December 1920. On the day following Nitsche's murder, they carefully informed the police how they had been able to help the police catch Grossmann in the act of murder. They did not hesitate to let the police know how they had spied on Grossmann. The husband, Mannheim, explained their role as follows. Since

²⁴⁰ Ibid., August 24, 1921, Bd. 3. Statement by Marie Schneider.

²⁴¹ On the night of Nitsche's murder on August 21, 1921, several of the neighbors including Netter, Lemm, the Neumanns said they observed nothing. However, in Böhm's first statement to the investigating police he says how Netter and the Neumanns were over at his place to look at his renovated kitchen when they clearly heard dull blows against the wall. He said that it sounded as if someone were defending him or herself. His wife told him to go listen in the bathroom. At that moment the police came and Grossmann did not want to open the door. After they broke in, the officers sent Böhm after a doctor. Ibid., August 22, 1921, Bd. 1. Statement by Konrad Böhm. Roestel claimed that she had heard that the woman said to Grossmann that he had already made her completely drunk. Ibid., August 22, 1921, Bd. 3. Statement by Anni Roestel.

Grossmann's constant traffic with women attracted their attention, Mannheim bore holes in Grossmann's door in order to watch his doings to some extent. Mannheim stated that it had come to their attention that Grossmann must have treated the women very brutally and that they had often heard cries from women from Grossmann's room. They then "involuntarily" connected Grossmann with the notices on the poster pillars about fragmented female corpses. From then on they carefully watched Grossmann.

Mannheim went on to explain how at about 9:30 p.m. on August 21, 1921 they saw Grossmann head toward his apartment with Nitsche. Eventually Grossmann went inside. Grossmann and Nitsche were tipsy, but not so drunk as to not know what they were doing. Since Grossmann could not unlock the entrance door to the corridor, Mannheim unlocked it and also lit the lamp in Grossmann's apartment. A short time later they heard a light scream and shortly after that a duller scream. Then they heard a dull blow. Then there were about five more. Since they felt it was eerie, Mannheim ran immediately to the police and got help because he suspected that Grossmann could have committed a crime against this woman. Grossmann did not open the door so he and the officers broke in without further ado. The door was not locked and opened easily. Grossmann sat wholly undressed next to the corpse on the bed. He had her still in his arm. He had blood all over him, especially on his face, one shoulder, and hands. The police took him away immediately, unwashed. Mannheim asked him something and he tried to say it was an act of revenge since the girl had stolen 350 Marks from him. Finally, he added, "*Jetzt habe ich jeden Einzigen dran.*" What Grossmann meant, Mannheim added, he could not say, since he did not ask Grossmann what he meant.

The wife, Helene, then added her part to the statement. She explained that they were poor people and they still owed Grossmann fifty-eight marks. She claimed that Grossmann had spoken to her the day before the murder and asked if she wanted to be free of debt. She would have to, however, go to bed with him. She said that she ran away immediately without answering and told her husband belatedly about the event since she feared that he would assault Grossmann. She intimated that Grossmann intended something bad since Grossmann later told her that she should tell nothing to her husband about the whole matter, although she eventually did. She further added that it was known in their area that he did not leave any women in peace, but rather, in fact, had approached most all of the women in the surrounding area around Andreasplatz. Either he had tried to come on to them or took them to his room. He always began by inviting them to coffee and cake.²⁴²

While the Itzigs played a significant role in running to the police, they may have had a number of personal reasons for making sure Grossmann was caught in the act of murder. It is clear from the evidence that the Itzigs had a relatively close acquaintance with Grossmann, as they addressed each other with the familiar “du” form and they spent time together in a pub or on day trips. In a later statement Helene did explain that Grossmann had repeatedly loaned them from twenty to fifty marks and that they always paid him back. The remaining fifty-eight marks that they still owed Grossmann came from a stroller for their child for which Grossmann had paid 148 marks in July. She then repeated how Grossmann suggested she sleep with him but how she left his room.²⁴³

²⁴² Ibid., August 22, 1921, Bd. 1. Statements by Mannheim and Helene Itzig.

²⁴³ Ibid., October 7, 1921, Bd. 4. Statement by Helene Itzig.

It is certainly conceivable that Grossmann may have tried to get Helene to absolve the debt by sleeping with him; however, there is other evidence that reveals that in her relationship with Grossmann, Helene, was a bit more complicit than her statement would suggest. The strongest accusation against Helene concerned Grossmann's assertion on September 16, 1921, that Helene had previously walked in shortly after he had murdered a woman, known only by the name of Martha. He accused Helene of being an accessory and of accepting and even asking for a bribe to keep quiet. (It is possible the he did not accuse Helene until mid-September because he had not yet confessed to Martha's murder).²⁴⁴ On that same day, Helene claimed that Grossmann's accusation was untrue and claimed that Grossmann was trying to take revenge because she had not agreed to fulfill one of his previous wishes.²⁴⁵ On October 7, 1921, she added to her court testimony that Grossmann had sworn revenge the night she and her husband walked into the murder scene. (No one else reported this, however, in their statements from that night).²⁴⁶ On October 14, 1921, Grossmann stated that his accusation was indeed true and that he had repeatedly slept with Helene, giving her ten to twenty marks each time.²⁴⁷ On October 20, 1921, Böhm testified in court, mentioning at the very end of his statement that Helene always went in and out of Grossmann's room even if women were there.²⁴⁸ Helene had stated earlier in her statement from September 16, 1921, that ever since her husband and Grossmann had a fight on May 24, 1921, she no longer went into his room

²⁴⁴ Ibid., September 16, 1921, Bd. 4. Statement by Carl Grossmann.

²⁴⁵ Ibid. Statement by Helene Itzig.

²⁴⁶ Ibid., October 7, 1921, Bd. 4. Statement by Helene Itzig.

²⁴⁷ Ibid., October 14, 1921, Bd. 4. Statement by Carl Grossmann.

²⁴⁸ Ibid., October 20, 1921, Bd. 4. Statement by Konrad Böhm.

so she could not have walked in on his murder of Martha. She does not say why there had been a fight or why she would go in and out of Grossmann's room.²⁴⁹ Böhm had also mentioned that Helene had told him and Roestel that Grossmann abused women with a pencil, pen, and whisk (*Quirl*). It is not clear from Böhm's statement though when Helene had given them this information.²⁵⁰

Grossmann's detailed confession about his murder of Martha does raise some suspicion regarding Helene. According to Grossmann, after he had hit Martha to death for not sleeping with him (although at the time he was not sure if she was dead), he fell asleep next to her for several hours. Helene's knock at the door awakened him and he turned Martha's bloody face toward the wall. He said that he drew the cover half over her face so that the hair still stuck out from above. Then he stood up and opened the locked door. He opened it half way and asked Helene what she wanted. Even though he did not want to let her in, she pressed in through the door. He quickly laid himself down again in the cot and covered himself again. She stepped over to his bed and said, "Well! You have another one up here," whereupon he said that the woman was still sleeping and that Helene should let her sleep still. Helene lifted the bedcover high to the wall, where Martha lay, and said, "Ah, she is already dead!" Grossmann said he did not respond. It was probably because of the fright that he received, he said, that he was not capable of saying anything. She immediately abandoned the room, while he remained lying next to Martha. After about five to ten minutes, Helene came back to the room. He had not locked the door again. She came again to the cot and said, "Ah, there's blood on the ground." Grossman said he had to correct his statement since she made this comment

²⁴⁹ Ibid., September 16, 1921, Bd. 4. Statement by Helene Itzig.

²⁵⁰ Ibid., October 20, 1921, Bd. 4. Statement by Konrad Böhm.

earlier before she had abandoned the room. When she came the second time to the cot, she said that he should give her fifty marks and then she would not say anything. He said to her, “You already are an accessory.” Then he said to bring him his wallet. She gave him the wallet, and he took fifty marks out of it. Then she abandoned the room. When she had left the room, he stood up, put on his underpants and shirt and thought over what he should do next. He locked the door. Grossmann’s confession ended with a detailed account of how he cut Martha into pieces and tried to disfigure her face to make it beyond recognition. Why Helene would have somewhat brazenly come in and thrown the blanket back is unclear. Why she regularly visited his room to begin with is also never explained for certain.²⁵¹

What is also noteworthy is that the Itzigs’ testimony from October 7 differed in a few ways from the original statements they made the day after Nitsche’s murder. Helene testified that she and her husband noticed Grossmann’s continual traffic with women, mostly streetwalkers. They could very often hear loud wailing and moaning when girls were with him. But Helene said, “Of mistreatment per se we have noticed nothing.” Helene must have meant they did not *visually* observe anything earlier that would have warranted their turning to the police. Otherwise this statement really contradicts the Itzigs’ first statement in which they said Grossmann had treated women very brutally and that they had often heard womens’ cries coming from his room. After the Itzigs had helped Grossmann and Nitsche into Grossmann’s room, Helene said that her husband had told her, “I have to watch Grossmann today, what he will do with the drunken woman.” Why would Mannheim have watched if he did not think that Grossmann abused women?

²⁵¹ Ibid., September 16, 1921, Bd. 4. Statement by Carl Grossmann.

In this version Helene also said that her husband had wanted to break in but that she wanted him to go instead to the police. In the first version, Mannheim said that he immediately ran to the police because he suspected Grossmann had committed a crime against this woman. According to the police report, Mannheim had assumed that a sex crime had been committed, given the moaning and raspy breathing.²⁵² (Could Mannheim have intervened and stopped the murder rather than running to the police? It is not clear from all of the statements about that night how much time had actually passed). Lastly, Helene also said that Grossmann totally invented his accusation and that it was obviously an act of revenge as she claimed he had sworn that night he was arrested. She said that she knew nothing about the murders or the packages that could have held pieces of corpses.

From the onset of the investigation, Böhm had begun to wonder about Helene's role. On the second day following Nitsche's murder, Böhm voluntarily returned to police headquarters to inform the police about the previous evening when he was in a conversation with Netter, the Neumanns, his fiancée, Roestel, and Helene in the stairwell. Böhm said that Helene told them that Grossmann did have his good sides, since he often helped her out of difficulties. He had one time given her six washed, but still bloody women's shirts. She washed them again and used them as diapers for her child. Later, however, when he and Roestel spoke again with Helene about the woman Böhm and Roestel had not seen again, Helene then repeated how Grossmann had given her two shirts, not six. After Böhm reported this to the police, his friend Wilhelm Eumann reported that when he went to pick up Böhm that morning in order to go to the police

²⁵² Ibid., Bd. 4. Police statement by Ernst Engesser.

headquarters, Eumann noticed how Helene had a very curious constitution when she heard about where they were going and she left her kitchen door open in order to eavesdrop on him and Böhm. It is difficult to say why Helene would make any mention of the bloody shirts.²⁵³

What is certain is that Helene definitely knew a lot. One of the most damaging pieces of evidence against Helene is a statement made on October 11, 1921, by Elisabeth Pursche, a former housekeeper for Grossmann and mother of a thirteen-year-old boy, who often held temporary employment outside of Berlin as a grain cutter. She explained how she had become acquainted with Grossmann at the Silesian train station. After spending the day together and meeting his best friends, Willy Schulz and Emma Biedermann, Grossmann invited her to be his housekeeper. She agreed as she was in need of work and they had normal sexual intercourse. As days passed, however, she described how Grossmann became more and more demanding sexually and did things Pursche did not like. Pursche reported that Grossmann often tried to stick a pencil in her vagina but she noticed it and tore it out of his hand, another time he wanted to stick his hand in there but he only succeeded on the second try. He stuck his hand in so deep that she screamed and hurt for days afterwards. When she fought back he took his other hand to push her down by her neck and tried to get his hand in again. With the exception of this, she said, he did not do anything unseemly. She asked him why he was doing what he did and he said that he just had to do that because he wanted to see how she was built. He continued to bother her this way and she wanted to leave. When she spoke to him in earnest about leaving, he acted upset and went to the window, calling out, “Lenchen, Lenchen, come here; she wants to leave already.” Lenchen was Mrs. Itzig, and she

²⁵³ Ibid., August 24, 1921, Bd. 3. Statements by Konrad Böhm and Wilhelm Eumann.

would come when he called her like that and say, “Well, did you do something crazy again?” Grossmann told Pursche he would not touch her anymore if she stayed and Pursche relented and stayed about two more weeks. When they were in the street one Sunday and he used some inappropriate words [equivalent of fuck and cunt], she seriously considered leaving then. She left him standing in the street and went to the apartment to get her things. Then, on Andreasplatz, she met Biedermann and Schulz again who went back to Grossmann’s apartment with her and tried to persuade her to stay. But Pursche packed her belongings and went to Ms. Hartmann’s apartment in Weinstraße 7 where she stayed two weeks. From there she went to Karlsburg in Mecklenburg to cut grain.²⁵⁴

The other evidence against Helene includes a note written by a Mrs. N. N., who lived on Langestraße. The author of the note claimed that as far as Mrs. Itzig was concerned, it is said that people already had an inkling of Grossmann’s dark behavior but had been silent because they were easily swayed by presents and were easily bribed and therefore looked the other way. The report to the police would not have been made even now if they had not had a fight, and therefore Grossmann was not reported out of a feeling of human duty and a sense of what is right, but out of revenge. But the note also went on to say something to the effect that these were the real false Judas Jews and they should also be incarcerated for “hiding a danger”—and that in no way were these people innocent. A second anonymous note from September 17, 1921 [?], presumably by the

²⁵⁴ Ibid., October 11, 1921, Bd. 3. Statement by Elisabeth Pursche. She changed her place of employment several times during the summer. Her son was in a group home, Grünes Haus, in Tegel. She spent four to five weeks with Grossmann in total, and never heard of him again until she read in the paper four days earlier about Grossmann and the murder and about Mrs. Itzig. Pursche was going to report her experiences as a witness right away, but a man named Grauer who was working with her told her not to get involved. When she was in Berlin on October 8 in order to get to Nauen and she could not leave until 10 p.m., Grauer had her arrested. He did this only out of revenge because she had not given him any money.

same Mrs. N. N., asked Commissioner Riemann to take another, closer look at Mrs. Itzig's husband since he said he drilled the holes in order to observe Grossmann better when he had dealings with Grossmann and since he possibly knew more than he reported.²⁵⁵

To Helene's credit, she did at least in one case provide refuge to two women. One woman, Elisabeth Ebener, secretly fled across the hall to the Itzigs' after Grossmann grabbed her with one hand and stuck his other hand into her vagina while they sat at the table to drink coffee. Ebener got away by excusing herself and asking for the toilet key. Ebener and Helene eventually were able to also get Ebener's cousin to briefly hide out at Helene's as well and Helene did not let Grossmann know they were there.²⁵⁶

While Helene and Mannheim's involvement may have been the opposite of what they told the police, what makes the situation even more incredible is how the police handled the situation. The police decided not to give much weight either to Grossmann's accusation against Helene or to any of her possibly complicit behavior.²⁵⁷ According to the police report from September, the police concluded that it appeared to them that Grossmann had accused Mrs. Itzig in an act of revenge for reporting him. Grossmann had not wanted an accomplice, but he did claim, to be sure, that Mrs. Itzig learned of the murder of Martha, when she saw Martha dead in bed, lying next to Grossmann.

²⁵⁵ Ibid., Date unknown and September 17, 1921(?), Bd. 3. Notes from Mrs. N. N.

²⁵⁶ Ibid., August 29, 1921, Bd. 3. Statement by Elisabeth Ebener. When Helene's young niece and her girl friend went over for the niece's birthday (in February 1921?) to visit Helene, Grossmann came into Helene's kitchen and said the word "fuck" to the two girls. They then went with Helene into Grossmann's apartment and were supposed to drink coffee, but they did not drink any and went back out with Helene. Helene's niece, Alice Madel, went home distraught and told her mother, Luise Madel. Ibid., August 22, 1921 Bd. 3. Grossmann would "sweeten" coffee with potassium cyanide in order to knock people out. However, in many cases, such as Ebener's, the coffee tasted funny and people would not drink it. However, in the case of Nitsche, it may be that she was too intoxicated to notice.

²⁵⁷ Ibid., September 16, 1921, Bd. 4. Legal report.

Members of the homicide squad certainly supposed that she had particular knowledge of his doings since she entered his room almost daily. However, in their minds it had not been proved that she actually was aware of the murders. The police doubted Helene's guilt on a very weak basis since they based it on the fact that in the case of Nitsche, it was Helene Itzig and her husband whose observations and surveillance had been so important and that it was they who had informed the police in order that Grossmann would be arrested and convicted.²⁵⁸

Instead, because of Helene's "particular knowledge," the police considered Helene as quite possibly their most important witness. In several instances when people testified about Grossmann concerning some particular woman, they would tell the police that they could ask Helene for the woman's identity. Even Grossmann would occasionally let the police know that Helene would know to whom he was referring in one of his statements. Some, including the postman, knew that Helene would be the person to rely on for more information. In another instance, the police asked Helene to identify a victim's head.²⁵⁹ What may have been the strongest reason the authorities did not take Grossmann's charges seriously, besides the fact that Grossmann was a murderer, was that Helene herself never confessed to any criminal behavior. In the case of Grossmann's murders, the court charged and convicted Grossmann of murdering three

²⁵⁸ Ibid.

²⁵⁹ Ibid., September 5, 1921, Bd. 6. Helene, along with a couple of other women, identified the head as belonging to Liesbeth Pursche, who had been a former housekeeper of Grossmann's in the middle of July and had a ten- or eleven-year-old boy, but Elisabeth Pursche actually was still alive as the police later found out.

women because he confessed to murdering three women. Karl Hussmann may have eluded conviction in 1928 for sexual murder because he never confessed.²⁶⁰

There is one more twist which also heavily supports this interpretation of how the police assigned guilt. Grossmann had gone to the Andreas police station to report women for stealing money (200 to 2000 marks) from him six times.²⁶¹ This explains part of his paranoid thinking that Nitsche had stolen from him and how it led him to kill her. However, there was an instance the previous July in which a twenty-seven-year-old milkmaid and refugee from Silesia named Frieda Thomas in all likelihood really did steal money from Grossmann. Thomas, as many women did, worked for Grossmann as his housekeeper. The police and court records show that on July 11 Grossmann gave Thomas around 2000 marks to hold for safekeeping. She also took another sum, as much as 600 additional marks for safekeeping. (Grossmann disputed having granted her permission over this latter sum and adamantly held that Thomas pilfered it). They then went out to a pub to meet others. Thomas left to buy some groceries and returned to the pub, but she wanted to take the groceries back to Grossmann's apartment to keep them from spoiling. The Itzigs were also at the pub. According to Thomas, Helene wished to accompany Thomas and a girl named Meta back to Grossmann's apartment. On the way Helene told Thomas and Meta, "Girls you are very dumb, buy things for yourselves with the money and disappear. Give me 200 marks and the apartment key and I will tell Grossmann that you will all come later." They divided the money and Thomas and Meta spent the money on clothing and fled to Thomas' hometown of Hanover. When Thomas

²⁶⁰ Daniel Siemans and Eva Bischoff, "Suspecting perversion: The trial against Karl Hussmann in 1928 and the performativity of criminality in Weimar Germany" in *Crime and Criminal Justice in Modern Germany*, edited by Richard F. Wetzell (New York: Berghahn Books, forthcoming).

²⁶¹ Ibid., Bd. 4. Police statement by Ernst Engesser.

returned to Berlin shortly after, Grossmann saw her and had the police arrest her on July 25, even though Thomas had tried to run.²⁶²

The court sentenced Thomas to a prison sentence at Moabit because Thomas admitted to embezzling the money but also especially because she had lived in Berlin without having an officially registered place of residence. Thomas had previously been convicted of theft several times before in Hannover. Helene, however, denied having said any of those words attributed her by Thomas, but she did admit to receiving 100 marks, not 200, from Thomas. Grossmann did not accuse Helene of anything. Later, Grossmann explained that in that instance he had not turned Helene in because he had felt sorry for her.²⁶³

Shortly after the police apprehended Grossmann, Thomas requested the appeal of her conviction. On September 1, Thomas claimed that Grossmann had only dealt with her out of revenge and that Grossmann even said that she was not guilty on August 30. In addition, she now had a fixed address to register under upon release. The police noted on September 7 that this request contradicted her previous confession. On September 8 Thomas requested legal defense since she said the main witness was arrested for many sexual murders and was dishonest and wily. She claimed that Grossmann was very drunk when he gave her the money. She totally reversed her previous statement by adding that

²⁶² Ibid., July 25, July 28, and August 30, 1921, Bd. 3. Statements by Frieda Thomas and Carl Grossmann. There is a very strange comment by Grossmann when he denied having drunk Frieda Thomas' bloody urine as she claimed. Rather, he responded that he did not drink it because he had already drunk his own urine. He claimed that instead he only had normal sexual intercourse with her. Police had believed that Frieda Thomas was no longer alive but she was actually in jail. Ibid., September 1, 1921. Statement by Carl Grossmann.

²⁶³ Ibid., July 25, 1921, Bd. 3. Statement by Helene Itzig; Ibid., August 18, 1921, Bd. 3. Police statement.

Grossmann never actually said anything about watching over the money at the pub so she thought it was for her own use.²⁶⁴

The legal reasoning is again astonishing. On September 9 a statement from the trial court reported, “The only witness is Grossmann, who at present cannot be a witness before the court. Since Thomas is a witness in the murder case, it is out of the question that she could be hiding something. The warrant of arrest from July 28, 1921 will be repealed. Release certificate is issued.”²⁶⁵ In summary, in two cases concerning Thomas, Helene, and Grossmann, the police and legal authorities relied heavily on confession to determine conviction, weighted the value of having witnesses far over their possible degree of guilt, and did not give much weight to Grossmann’s assertions, despite evidence to the contrary that they were true.

It seems probable that Grossmann’s neighbors did not go to the police because Grossmann’s sexual violence (including abuse, rape, and sadism) would not merit as much serious attention in the eyes of the law, whereas theft, unregistered places to live, and murder were taken more seriously in terms of the law—especially since Grossmann readily turned to the police six times (when he believed women had stolen from him) because he did not see himself in the wrong but rather as the wronged. About six weeks before the police apprehended Grossmann on August 21, 1921, a woman named Franziska Mückenheim had Grossmann arrested several hours after he spoke to her and two other women in front of a grocery store. She retold her story to the police the day

²⁶⁴ September 1 and September 8, 1921, Bd. 3. Statements by Frieda Thomas; September 7, 1921, Bd. 3. Police statement.

²⁶⁵ Ibid., September 9, 1921, Bd. 3. Official statement issued by court.

following Nitsche's murder. Mückenheim reported that a man [Grossmann] had asked them "Why do you work? I don't work and still have so much money. I just kill everybody." Then the owner of the store asked him how he could kill everybody. Then the man said to Mückenheim that he was a butcher by profession but that he did not butcher animals but butchered women instead. He said furthermore, "I cut them up and burn the pieces. And I stick a long needle in the horses' eyes, and a knife in the dogs' eyes, and I kill small children with a rock."²⁶⁶ Presumably, the police did not have enough evidence against Grossmann at this time and so released him, but Mückenheim's testimony shows that she felt both comfortable and obliged to immediately report Grossmann on charges of murder to the police. The police also took her complaint about the possibility of murder seriously enough to arrest Grossmann. By not going to the police or otherwise putting a stop to his violent activities, many publicly silent witnesses, consciously or not, protected Grossmann, especially Böhm, Roestel, and Hartung. A few, such as Helene, Mannheim, Biedermann, and Schulz, might have even helped Grossmann to carry out his abusive activities.

In conclusion, Grossmann was able to abuse a large number of women and children for years in the Silesian train district because his neighbors did not turn to the police. While Grossmann felt free to avail himself of the police in order to accuse women of stealing from him, the destitute women that he abused did not turn to the police. This imbalance can be explained, in part, by cultural ideas about property that worked against women particularly in laws against theft (especially after the war) and

²⁶⁶ Ibid., August 22, 1921, Bd. 3. Statement by Franziska Mückenheim.

sexual violence.²⁶⁷ While some of Grossmann's neighbors chose to overlook or distance themselves from his activities, others attempted to intervene, deal with, or limit his behavior in some way. None of Grossmann's working-class neighbors (from two different neighborhoods), however, reported Grossmann to the police. The married couple who did finally turn Grossmann into the police made sure that Grossmann was caught in the act of murder in order to extricate themselves from their own questionable relationship to Grossmann. As in the case of Voigt, sexual violence (against urban lower class women at least) seemed to have only merited serious attention by the law once it reached the level of actual sexual murder, not even attempted murder. Theft, not having a fixed address, and murder, however, merited serious attention from the police. After his arrest, Grossmann attempted to justify himself by citing his motives, which were different from those ascribed to him by the experts around him. Not only did social responses to Grossmann's behavior help perpetuate his violent behavior, but even after the trial, social responses were less than helpful in trying to prevent this kind of violence in the future. In contrast, after a notorious *Lustmord* trial in another Berlin working-class neighborhood in 1904, the public offered constructive suggestions in response to the coverage of the press.²⁶⁸ Later misrepresentations of Grossmann also only served to further obfuscate public understanding of this type of violence.

²⁶⁷ See Tanja Hommen, *Sittlichkeitsverbrechen: sexuelle Gewalt im Kaiserrich* (Frankfurt/Main and New York: Campus Verlag, 1998) and Belinda Davis, *Home Fires Burning: Food, Politics, and Everyday Life in World War I Berlin* (Chapel Hill and London: University of North Carolina Press, 2000).

²⁶⁸ Fritzsche, "The Murder of Lucie Berlin," 388.

Chapter 5: Sexual Murder and Love as the Problem and Solution to Identity, Morality, and Gender Relations in Robert Musil's *The Man without Qualities* (1930/1932)

In 1911, Musil united and juxtaposed the themes of sexual murder and romantic union at the beginning of his novella “Perfecting of a Love,” when two lovers discuss the sex murderer G. After World War I, Musil’s concern with both pairing and contrasting sexual murder and a union of love would form a central axis of *The Man without Qualities*, published in the early 1930s. Musil based the characters of the sex murderer Christian Moosbrugger and the low-ranking prostitute, Hedwig, whom he murders, on Christian Voigt and his murder of Josefine Peer, an unemployed domestic servant and occasional prostitute in Vienna in 1910. In his novel set in pre-war Vienna, Musil uses sexual murder and love in order to represent the major problems of and solutions to what he saw as the crises of modernity—that is, the perceived breakdown of morality, identity, and gender relations. Musil’s response, however, represented a unique attempt to overcome the prevailing crisis of masculinity and ambivalence he himself felt toward women. Musil differs most from his male artistic and literary contemporaries who also used sexual murder in their artwork—including Frank Wedekind, George Grosz, and Otto Dix—because of his ability to see this cultural crisis and attempt to rise above these difficulties, even if in the end he is not entirely successful.²⁶⁹

This chapter focuses on the significance of Musil’s decision to include a detailed description of a widely publicized trial of Christian Moosbrugger, a traveling

²⁶⁹ This chapter was originally conceived in the context of Gerald N. Izenberg’s seminar, “War, Society, and Identity: The European Novel of the 1920s.” I wish to especially thank Izenberg for his insights into the theme of identity in the *MwQ*, since without his seminar this chapter would not have been written.

journeyman, for his extremely brutal sexual murder of a low-ranking prostitute, Hedwig in *The Man without Qualities*.²⁷⁰ Not only does the theme of sexual murder form a key illustration of the problem of identity, it also provides a complete contrast to Musil's solution to this problem. He uses Moosbrugger's crime to explore the problematic nature of conventional moral values and the resulting problem of identity. Both Moosbrugger and Ulrich lack firm identities in a world both lacking fixed moralities and headed for the destruction and division caused by World War I. Sexual murder plays a central role in the novel since gender lies at the heart of Musil's solution to the problem of identity. The main character Ulrich and his "twin" sister, Agathe, attempt to achieve fully integrated personalities through an incestuous spiritual union. Musil draws on this Romantic ideal of love between brother and sister in order to promote a type of love that provides a selfless morality in which one could love another as much as one loves oneself. The feeling of a whole world contained in the uniting of two separate persons allows each to be wholly oneself and wholly part of the other. According to Musil, love not only prevents the destructive ravages of individualism—found at its extreme in the act of sexual murder, which completely destroys the identity of the victim—but also has the potential to bring fulfillment to the individual by dissolving the boundaries between lovers. Love unites the differences between male and female while preserving their separateness.²⁷¹ In their relationship, Agathe and Ulrich come closer to finding a

²⁷⁰ Karl Corino observes that Musil relied heavily on newspapers and invented very little in basing Moosbrugger on Christian Voigt. Karl Corino, "The Contribution of Biographical Research to the Understanding of Characters and Themes of *Der Mann ohne Eigenschaften*" in *A Companion to the Works of Robert Musil*, ed. Philip Payne, Graham Bartram, and Galin Tihanov (Rochester, New York: Camden House, 2007), 300.

²⁷¹ Here Musil draws on early nineteenth century ideals of Romantic love between siblings meant to reconcile individual freedom and wholeness. Romantic aspirations for an integrated personality desired both self-assertion and self-surrender. Romantics had promoted emotion and feeling in response to the

morality in which the alignment of thinking and feeling enables the fullness of possibility and selfless love. Musil creates a flexible view of gender identity within the more rigid social context of women's actual experiences at this time, but the real equality between the sexes necessary to realize his idealized view of Romantic incest was not possible.

Musil demonstrates with characteristic irony that even the act of sexual murder, a seemingly clear and morally repulsive crime, under closer scrutiny reveals the possible moral ambiguity of every situation. Musil creates sympathy for the sex murderer, Moosbrugger, by detailing how he has grown up as an orphan in poverty and how he possesses a face with "signs of being a child of God" and "blessed by God with every sign of goodness." Musil knowingly draws on Christ-like imagery in his description of this 34-year old carpenter with "a head of hair with brown lamb's wool." One might even be able to understand Moosbrugger's depravity since "the living soul itself hardens" when the body goes weeks without a bath. Moosbrugger, "a man utterly alone" and who had "never had a friend," had only been allowed to look at girls, never to speak to them. Poverty and social isolation has eroded Moosbrugger's natural goodness. Musil also chooses not to depict Moosbrugger as being fully mentally disturbed. His face not only expresses "right-mindedness" but his occupation also "called as much for mindfulness as for exertion."²⁷²

elevation of reason during the Enlightenment. François-René de Chateaubriand depicted brother and sister love relationships in *Atala* and *René* and argued for a religion of feeling. Lord George Gordon Byron actually committed incest with his half-sister. Percy Bysshe Shelley, however, believed in the need for equality between man and woman in order for true friendship and love to be possible. Friedrich Schlegel believed that art and love could integrate one's personality, although to the disadvantage of women. Théophile Gautier believed that bisexuality is actually in everyone and is necessary to be a whole self. Many Romantics looked to women as a means of fulfillment since women were not in a position to strive.

²⁷² Robert Musil, *The Man without Qualities*, trans Sophie Wilkins and Burton Pike, 2 vols. (New York: Vintage International, 1995), 67, 70.

Musil reveals how Moosbrugger sees himself as a victim of both the women he attacks and the society in which he lives. In his paranoia, Moosbrugger has projected his sexual desire onto the prostitute, Hedwig. He shifts the blame onto her by describing how “the girl accosted him” as he was walking at night and despite his strenuous efforts to drive her off; he resorted to self-defense by stabbing her “until he had completely separated her from himself.” Afterwards he looked at her for a while and grew calm since he reasoned, “Now she could never again insult a man and trail after him.” He even recalls how he laid her body out more visibly in front of a bush so that “it could be more easily found and buried...because now it was no longer her fault.”²⁷³ (Hedwig has actually “awaited” him; however, this clearly does not justify her murder—especially since another prostitute steps into Ulrich’s path, but he does not murder her).²⁷⁴ Additionally, Musil points to the moral complexity of prostitution since as a profession “full of its own logic, objectivity, and class codes,” it is “a matter in which it makes all the difference whether you see it from above or from below.”²⁷⁵

Moosbrugger receives satisfaction from the care and attention the state must give the convicts, “The state had to feed them, bathe them, clothe them, and concern itself with their work, their health, their books, and their songs from the moment they had broken the law; it had never done these things before.”²⁷⁶ Perhaps, the implication is, had society taken on these responsibilities before, the convicts would have not committed

²⁷³ Ibid., 74.

²⁷⁴ Ibid., 710-11.

²⁷⁵ Ibid., 18.

²⁷⁶ Ibid., 254.

their crimes. In one instance, the narrator even validates Moosbrugger's sense of his own victimhood as much as the judge's view of Moosbrugger's guilt:

The judge added it all up, starting with the police record and the vagrancy, and presented it as Moosbrugger's guilt, while to Moosbrugger it was a series of completely separate incidents having nothing to do with one another, each of which had a different cause that lay outside Moosbrugger somewhere in the world as a whole. In the judge's eyes, Moosbrugger was the source of his acts; in Moosbrugger's eyes they had perched on him like birds that had flown in from somewhere or other [...] Two strategies were here locked in combat, two integral positions, two sets of logical consistency. But Moosbrugger had the less favorable position.²⁷⁷

However, despite Moosbrugger's social powerlessness before the law and his lack of education, he provokes disgust when he perversely believes his excessively brutal murder does not warrant punishment such that "the woman who lay underground and who had got him into this mess seemed to him a crude, nasty bitch contrasted with a child, if he compared her to himself."²⁷⁸ Although Musil clearly sees Moosbrugger as an "obvious lunatic," Musil disabuses the reader of the possibility of any one-sided view of Moosbrugger.²⁷⁹

Musil depicts society's inability to deal with the logical irrationality of Moosbrugger, who though clearly mentally ill, does not want to be dismissed as mentally ill and wants to be held responsible. He claims that he was in his right mind, aware of what he was doing, but that society is actually to blame and that he should not be condemned. However, after Moosbrugger hears the verdict, he declares that the court has "condemned a madman."²⁸⁰ Ulrich suggests that the inseparable irrationality and

²⁷⁷ Ibid., 75.

²⁷⁸ Ibid., 254.

²⁷⁹ Ibid., 126.

²⁸⁰ Ibid., 76.

rationality of Moosbrugger can also characterize the rest of mankind when in response to the trial he thinks, “if mankind could dream as a whole, that dream would be Moosbrugger.”²⁸¹

Musil demonstrates society’s lack of rationality when he satirizes the absurdity of both the press and the public. The narrator comments that the reporters “hardly availed themselves of the most obvious explanation, that the man before them was insane” even though Moosbrugger had committed similar crimes in the past and had already been in mental hospitals.²⁸² The narrator mockingly describes the sensational coverage of the horrific crime:

The reporters described in detail a knife wound in the throat from the larynx to the back of the neck, also the two stab wounds in the breast that penetrated the heart, and the two in the back on the left side, and how both breasts were sliced through so that they could almost be lifted off. The reporters had expressed their revulsion at this, but they did not stop until they had counted thirty-five stabs in the belly and explained the deep slash that reached from the navel to the sacrum, continuing up the backs in numerous lesser cuts, while the throat showed marks of strangulation.²⁸³

The knife Moosbrugger used is later put on public display, further symbolizing society’s simultaneous revulsion and fascination with this crime.²⁸⁴ The characterization of the public’s response is no less inconsistent than the press since “Moosbrugger’s pathological excesses were regarded as ‘finally something interesting for a change’ by thousands of people who deplore the sensationalism of the press.” Ironically, these excesses are then suddenly “forgotten a few days after the newspapers stopped printing the reports of his

²⁸¹ Ibid., 77.

²⁸² Ibid., 68.

²⁸³ Ibid., 67-68.

²⁸⁴ Ibid., 487.

trial” except by a handful of experts.²⁸⁵ A crime so horrific and worthy of society’s moral condemnation becomes reduced to shock value and is tidily swept into the hands of legal experts.

Musil next demonstrates the inability of the legal system to address this case of sexual murder, due to both the limitations of moral and legal knowledge as well as the judgments resulting from a complicated debate waged by egotistical lawmakers. The borderline insanity of Moosbrugger presents a difficulty for the legal system since Nature “keeps the world in a transitional state between imbecility and sanity” while the law says “a person is either capable or not capable of breaking the law.”²⁸⁶ Musil again points to the complexity of getting at the truth of any situation since “[t]he truth is not a crystal that can be slipped into one’s pocket, but an endless current into which one falls headlong.”²⁸⁷ Even “the well-known sparrow” falling off a roof is no simple phenomenon:

Sun, wind, food brought it there, and illness, hunger, cold, or a cat killed it, but none of this could have happened without the operation of laws, biological, psychological, meteorological, physical, chemical, sociological, and all the rest, and it is much less of a strain to be merely looking for such laws than to have to make them up, as is done in the moral and judicial disciplines.²⁸⁸

Musil lampoons the process of experts trying to determine the responsibility of criminals who fit in the same category as Moosbrugger. Musil devotes many pages to this process, just as Ulrich’s father and Professor Schwung devote much energy to the debate over whether a perpetrator, who in the moment of committing an act is in a state of

²⁸⁵ Ibid., 68, 227.

²⁸⁶ Ibid., 261.

²⁸⁷ Ibid., 582.

²⁸⁸ Ibid.

unconsciousness or pathological disturbance, did not have the capacity to perceive the wrongfulness of the act and/or could not exercise his free will.²⁸⁹ The debate or personal contest between two old friends dissolves into endless factions and splinter groups each with their own point of view. Ulrich's father tries to solve the dilemma with a social view that the individual "be judged not morally but only insofar as he is likely to harm society as a whole. Hence, the more dangerous he is, the more responsible he is for his actions" but this is denounced by Professor Schwung as "'materialistic' and suspect of being infected with 'the Prussian idea of the State,'" once more reducing the significance of the entire debate to mere egoism, "the most reliable factor in human life."²⁹⁰ The infinite possibilities of handling a case such as Moosbrugger's as well as the imperfect process of lawmaking reveals the moral center (as well as the possibility of other centers) society creates in order to rotate.

Fortunately, the individual and society can function with a clear conscience, since as Arnheim observes, only a few people need to have a direct hand in Moosbrugger's execution because "the button to be pressed is always clean and shiny, and what happens at the other end of the line is the business of others, who, for their part, don't press the button."²⁹¹ Ulrich, matter-of-factly sizes up the many-angled situation:

The depressing mixture of brutality and suffering that is the nature of such people was as distasteful to him as the blend of precision and sloppiness that characterized the judgments usually pronounced upon them. He knew precisely what he had to think of Moosbrugger, if he took a sober view of the case, and what measures one might try with such people who belong neither in prison nor in freedom and for whom the mental hospitals were

²⁸⁹ Ibid., 343-44.

²⁹⁰ Ibid., 554, 587.

²⁹¹ Ibid., 696.

not the answer either. He also realized that thousands of other people knew this, too, and were constantly discussing every such problem from the aspects that each of them was interested in; he also knew that the state would eventually kill Moosbrugger because in the present state of incompleteness this was simply the cleanest, cheapest, and safest solution.²⁹²

This perceptive pragmatism, characteristic of the age and particularly of Ulrich, however, only makes him painfully aware that he is like a boat on the open sea without any moorings or bearings besides tradition, with all the freedom and directionlessness it entails. When Ulrich discusses Moosbrugger's situation with Bonadea, Ulrich unhappily admits to himself that he is able to know "in every human situation, why one doesn't need to be bound by it, but never knowing what one wants to be bound by!" and that "he would have been ready to admit that he had nothing but an ability to see two sides to everything—that moral ambivalence that marked almost all his contemporaries and was the disposition of his generation, or perhaps their fate."²⁹³ Ulrich, the man without qualities, recognizes his lack of identity in a world without solid grounding. Musil thus creates a highly nuanced and morally ambiguous portrayal of sexual murder by an ambivalent treatment of both Moosbrugger and the imperfect society in which he lives.

Musil uses the character of the sex murderer, Moosbrugger, to both parallel and contrast with the character of Ulrich in order to explore the problem of being without an identity due to the lack of a fixed morality. Neither Moosbrugger nor Ulrich is in accord with society—unlike Ulrich's father, who lives in harmony with the ideals of society, thereby giving him a solid identity.²⁹⁴ In this way, Musil, writing after World War I,

²⁹² Ibid., 263-64.

²⁹³ Ibid., 285.

²⁹⁴ Ibid., 10.

attacks the liberal bourgeois ideals that break down as a result of the First World War. At one point the narrator sympathetically describes Ulrich's suffering despite his coldness: "Ulrich was a man forced somehow to live against himself, though outwardly he appeared to be indulging his inclinations without restraint."²⁹⁵ At another point Ulrich perversely agrees with Diotima, "There is nothing I am less fit for than being myself."²⁹⁶ Others even hope and believe they can save Moosbrugger and Ulrich, however, in most cases only for their own purposes. Arnheim, Bonadea, and Clarisse desire to save Ulrich. Clarisse feels the need to sacrifice herself, take action, and become the Mother of God to free Ulrich, who is bent on going "the world's self-indulgent way."²⁹⁷ In the case of Moosbrugger, Clarisse, while playing the piano, enters Moosbrugger's cell in her thoughts and frees him from his fetters, transforming him into a "handsome youth" and herself into "an incredibly beautiful woman." She believes that she can somehow take his sins upon herself.²⁹⁸ Bonadea thinks if she saves Moosbrugger she will please Ulrich. Rachel thinks to herself, "It was far from impossible that Christian, had he only met Rachel in time, would have given up his career as a killer of girls and revealed himself as a robber chieftain with an immense future."²⁹⁹

Both Ulrich and Moosbrugger feel how shapeless, formless, and unfixed their identity is before the law. The judge is unable to understand the peculiar reasoning of

²⁹⁵ Ibid., 160.

²⁹⁶ Ibid., 296.

²⁹⁷ Ibid., 483.

²⁹⁸ Ibid., 154-155, 908.

²⁹⁹ Ibid., 236.

Moosbrugger that arose out of the “confused isolation of his life” since for Moosbrugger, “his own true life existed only for him. It was a vapor, always losing and changing shape.”³⁰⁰ After Ulrich is arrested, he also undergoes a depersonalizing experience: “The most amazing thing about it was that the police could not only dismantle a man so that nothing was left of him, they could also put him together again, recognizably and unmistakably, out of the same worthless components.”³⁰¹

Ulrich is not in accord with society because although he possesses a sense of reality, he can see that “it could probably just as well be otherwise.”³⁰² In a similar manner, Moosbrugger possesses his own internal logic based on being able to see matters in more than one way. Moosbrugger, who “knew perfectly well that you get twenty-eight when you go on from fourteen to another fourteen” would answer “Oh, about twenty-eight to forty” but reasoned, “who says you have to stop there?” He also believed it made little difference whether one called a squirrel a “fox,” “cat,” or “hare” since “if a tree kitten [which a squirrel is also called] is no cat and no fox, and has teeth like a hare’s, and the fox eats the hare, you don’t have to be so particular about what you call it; you just know it’s somehow sewn together out of all those things and goes scampering over the trees.”³⁰³

The difference, however, between Ulrich and Moosbrugger is that Ulrich learns that he cannot translate his ideas into reality.³⁰⁴ When Ulrich rashly remarks that the

³⁰⁰ Ibid., 76.

³⁰¹ Ibid., 169.

³⁰² Ibid., 11.

³⁰³ Ibid., 259.

³⁰⁴ Ibid., 296.

drunken man “was in no condition to be held responsible for insulting anyone and should be sent home to sleep it off,” Ulrich finds himself arrested.³⁰⁵ He rationally decides to give proper answers to the police when he is questioned rather than what actually comes to mind.³⁰⁶ Ulrich tries to explain to Bonadea, that even if one feels for Moosbrugger and even if the state is to blame since medicine can prevent most crimes, the reality is that if one did something on Moosbrugger’s behalf, one would unravel “the whole fabric of society.”³⁰⁷ Ulrich can distinguish between thinking and reality while Moosbrugger can not. Moosbrugger hallucinates and is even “pleased that he had this knack for hallucination that others lacked; it enabled him to see all sorts of things others didn’t, such as lovely landscapes and hellish monsters.”³⁰⁸ Moosbrugger’s compliment to a girl, “Your sweet rose lips,” turns into something violent in actuality.³⁰⁹

Musil also links Ulrich with Moosbrugger in a dream of Ulrich’s. In this way Musil shows the defeat and difficulty Ulrich experiences of trying and wanting to live without the rigid absolutes his contemporaries use to orient their lives that Ulrich finds no longer workable. Ulrich recalls a dream in which “he kept trying to cross a steep mountainside and was driven back, again and again, by violent spells.” He realizes the dream is about Moosbrugger as well as “a physical representation of his mind’s useless struggles to make some headway, as recently manifested again and again in his conversation and in his affairs, struggles that exactly resembled walking without a path to

³⁰⁵ Ibid., 167.

³⁰⁶ Ibid., 169.

³⁰⁷ Ibid., 283.

³⁰⁸ Ibid., 258.

³⁰⁹ Ibid., 259.

follow and being unable to get beyond a certain point.” The inability of society to deal with a Moosbrugger and the inability of Moosbrugger to live in accord with society mirrors the frustration Ulrich feels in his life. At one point, he says to someone, “Let’s give it up; there’s the easy road down there in the valley that everyone takes!”³¹⁰ In this way Ulrich figures as a Nietzschean protagonist, who walks a solitary, uncharted path, but who has not yet found a way to live that permits possibility but also confers identity.

Ulrich also realizes that a dream expresses a metaphor, which when broken down into truth and untruth, destroys the feeling of the metaphor. The metaphor needs to be fused with truth in order to achieve integration.³¹¹ Just taking real life and metaphor without thinking too much so as to destroy the metaphor seems to be the solution for Ulrich as Bonadea suggests when she says, “Well, in your dreams you don’t think either; you only live through some story or other.”³¹² In this way, Ulrich could possibly achieve an integrated personality, that is, spiritual and intellectual knowledge inextricably bound, since, to Musil, the first on its own ignores the reality of material facts and the second is morally bankrupt.

Musil pairs Ulrich and Moosbrugger in the scene when Ulrich runs into a prostitute who approaches him one night while he is walking home at the end of the first volume. Musil shows that purely acting on feeling without thinking is not the solution. Just before Hedwig “accosted” Moosbrugger that fateful night, “the street walls *waver like stage sets* behind which something is waiting for its cue” and just before Ulrich’s

³¹⁰ Ibid., 634.

³¹¹ Ibid., 634-35, 647-48.

³¹² Ibid., 635.

encounter with the prostitute occurs, Ulrich feels that the necessary, but ultimately futile, solution to living is to delude oneself: “These days [...] a man can only allow himself to forget the uncertainties on which he must base his life and his actions as much as *an actor who forgets the scenery and his makeup, and believes that he is really living his part.*” After turning the prostitute down and giving her money, Ulrich thinks of Moosbrugger, “the pursuer and nemesis of prostitutes, who had been out walking on that other, unlucky night” just as Ulrich was this evening. The narrator goes on to remind the reader that “[w]hen the housefronts on that street had stopped swaying like *stage scenery* for a moment, Moosbrugger had bumped into the unknown creature who had awaited him by the bridge the night of the murder.”³¹³ Then Ulrich envisions himself in a state of pure dissolution, by imagining what it would feel like to commit sexual murder:

[He] had the hallucinatory image of an act in which the movement of reaching out in some extreme state of excitement and that of being moved by it fused into an ineffable communion, in which desire was indistinguishable from compulsion, meaning from necessity, and the most intense activity from blissful receptiveness.³¹⁴

However, Ulrich realizes that “[h]e had apparently been living so long without some central purpose that he was actually envying a psychopath his obsessions and his faith in

³¹³ Ibid., 72, 709, 711, italics mine.

³¹⁴ Ibid., 711. This is similar to Klaus Theweleit’s description of the aim of sexual murderers committed by Freikorps men in their fantasies. Theweleit describes how just as the woman has lost her identity by becoming a shapeless, bloody mass (causing the dissolution of her as a body and as an object of love), so too, the man finds himself in a state of dissolution, in which he cannot distinguish what is real from what is hallucinated nor himself from the victim. Theweleit states that the ultimate end of the attacks is the hallucinatory trancelike state of the man who has entered into a union with the victim, both having lost their boundaries. Like Moosbrugger, the “soldier male,” is threatened by women and also sees his actions as a matter of defense, not as an act of his will, and becomes as if he were not really present when he is attacking the woman. Klaus Theweleit, *Male Fantasies: Volume I: Women, Floods, Bodies, History*, trans. Stephen Conway in collaboration with Erica Carter and Chris Turner (Minneapolis: University of Minnesota Press, 1987), 197, 201-04.

the part he was *playing!*”³¹⁵ Moosbrugger is compared to an actor who forgets that he is on a stage and begins to act out his obsessions as though he were living in reality. Clarisse praises Moosbrugger as being musical, able to give full vent to his self, like the center of a cosmic sphere, like a composer who makes music “without thinking about it.”³¹⁶ However, Moosbrugger’s way of acting without thinking, that is, denying reality by giving full vent to feeling, shows that fulfilling one’s solipsistic desires fails to provide the solution to identity. Sexual murder attempts to fuse everything, making indistinguishable “the most intense activity from blissful receptiveness.”³¹⁷ But in the unthinking act of sexual murder one destroys the identity of another as well as the possibility of experiencing “thinking and feeling” in harmony. Even though Ulrich has this hallucinatory experience, he decides that he would never set Moosbrugger free: “He fleetingly recalled the opinion that such luckless creatures as Moosbrugger were the embodiments of repressed instincts common to all, of all the murders and rapes committed in fantasies.” But Ulrich decides that while others could justify Moosbrugger in order to justify their own dark urges, Ulrich could not. To Ulrich, Moosbrugger represented nothing strange as a murderer, only the stale combination of “meaning” and “nonsense” he found “in common with old images of himself.”³¹⁸ Moosbrugger was a “metaphor of order” for him, a need to at last settle the need to live with a central purpose

³¹⁵ Musil, *MwQ*, 711, italics mine.

³¹⁶ Ibid., 383.

³¹⁷ Ibid., 711.

³¹⁸ Ibid., 711-12.

by living either “like everybody else, for some attainable goal, or come to grips with one of his impossible possibilities.”³¹⁹

Musil thus uses sexual murder as a contrast to the solution to identity he suggests in the impossible possibility of the mystical, sexual union of Ulrich and his sister, Agathe. Unlike sexual murder which destroys the victim’s identity, Agathe and Ulrich experience a mystical oneness in a way that preserves their individual identities and a separateness that permits empathy at the same time: “It was really strangely simple: as their powers became circumscribed all boundaries had disappeared, and since they no longer felt any kind of distinctions, neither in themselves nor about objects, they had become one.” The next day Ulrich realizes that “the secret of love was precisely this, that lovers are not one.” In love, Ulrich and Agathe’s “half-integrated” selves can become fully integrated without losing their individual integrity.³²⁰

Agathe and Ulrich discuss and search for a non-selfish love that is not just the ego’s fulfillment through another. Love, in this sense, is neither self-enhancement through self-surrender nor the power to dominate another. Sexual murder is a perversion of a union of love; it is domination and annihilation since “[n]othing so inflames the middle-class lover as the flattering discovery of the power to drive another person into an ecstasy so wild that to be the cause of such changes by any other means one would have to become a murderer.”³²¹ Sexual murder brings about destruction of the other due to

³¹⁹ Ibid., 712. In one version, Ulrich later tries as his “deed” to set Moosbrugger free but this foolishly carried out attempt comes to nothing.

³²⁰ Ibid., 762, 766, 1456, and 1459.

³²¹ Ibid., 307.

selfishness, while love brings about a transformation into a selfless morality, according to Musil. Ulrich explains:

Whenever I succeed in shedding all my selfish and egocentric feelings toward Agathe, and every single hateful feeling of indifference too, she draws all the qualities out of me the way the Magnetic Mountain draws the nails out of a ship! She leaves me morally absolved into a primary atomic state, one in which I am neither myself nor her. Could this be bliss?"³²²

Ulrich's coldness, irony, and scientific background can be reconciled by means of love in a way that pure passion or physical sexuality with Leona, Bonadea, and Gerda can not. With Agathe, Ulrich's narcissism and self-criticism subside and he is able to momentarily forget himself. Love enables Ulrich to accept all parts of himself, including his human limitations, thus giving him an integrated personality that is even more free to love selflessly.

The sexual episode between Ulrich and Gerda stands in sharp contrast. Ulrich tries to overcome his repulsion to Gerda's body and "in abandoning himself to this effort he found, not of course, any feeling of love, but a half-crazy anticipation of something like a massacre, a sex murder or, if there is such a thing, a lustful suicide."³²³ Gerda desires to have sex with Ulrich, but her body so forcefully refuses to unite with a man she knows does not love her that Ulrich even feels he "had to fight off a temptation to grab an armful of pillows to press on her mouth and choke off these shrieks that wouldn't stop."³²⁴ This scene, likened to a potential sexual murder, as well as Ulrich's encounter

³²² Ibid., 1019-20.

³²³ Ibid., 678.

³²⁴ Ibid., 680.

with the prostitute that is parallel to Moosbrugger's sexual murder of Hedwig, serve as foils for Ulrich's love relationship with Agathe.

In the context of Agathe and Ulrich's relationship, Ulrich continues to refine his understanding of morality. Agathe questions the seriousness of Ulrich's belief in his peculiar ideas by seeing if he will support her in leaving her husband, Gottlieb Hagauer, and in secretly rewriting their father's will entirely to Hagauer's disadvantage. However, in her uneasiness over her divorce from her husband, Agathe looks to Ulrich to provide a morality on which she can base her actions and live in accordance with her deepest inclinations. Ulrich comes to see morality as needing to permit the infinite fullness of possibility in which thought and feeling must align.³²⁵ Agathe and Ulrich's intimate endless discussions on the nature of love also contribute to Ulrich's moral reasoning within his diary entries. Not only does the relationship enable Ulrich to further develop his ideas of morality, but the male and female union of Ulrich and Agathe symbolically embodies the union of thinking and feeling.

Musil does not, however, come up with a final solution, but rather a solution that allows for the flexibility of taking thinking and feeling in harmony as a way to see each particular situation with both the fullness of possibility and the eyes of love. Even if the love between Agathe and Ulrich is possibly only a temporary spiritual union, genuine human love can have effects for eternity. As in Ulrich's case, love can foster acceptance, leaving one never the same.

In the last years of his life from 1940 to 1942, Musil worked on several alternate draft versions in which Agathe and Ulrich discuss the nature of love. Agathe and Ulrich

³²⁵ Ibid., 1112, 1116, and 1126.

wonder if love is only a fantasy since it is not based on anything significant, “You love someone in spite of everything, and equally well on account of nothing.”³²⁶ Since love is so irrational and based on fantasy, Ulrich even jokes, “All love is overrated! The madman who in his derangement stabs with a knife and runs it through an innocent person who just happens to be standing where his hallucination is—in love he’s normal!”³²⁷ Although love may possibly begin as a matter of fantasy, it has the potential to increase (or diminish) with knowledge. After describing the contradictory nature of love, “You love a person because you know him; and because you don’t know him. And you understand him because you love him; and don’t know him because you love him” he goes on to account for the unstable nature of love:

Venus through Apollo, and Apollo through Venus, gaze at a hollow scarecrow and are mightily amazed that previously they had seen something else there. If love is stronger than this astonishment, a struggle arises between them, and sometimes love—albeit exhausted, despairing, and mortally wounded—emerges the victor. But if love is not so strong, it becomes a struggle between people who think themselves deceived; it comes to insults, crude intrusions of reality, incredible humiliations intended to make up for your having been a simpleton.³²⁸

Love is not static, but living, shifting, and full of possibility; it does not reach an apex of perfection in which it simply ends since as Musil writes, “in the field of the emotions what predominates are not their pure occurrence and its unequivocal fulfillment, but their progressive approximation and approximate fulfillment.”³²⁹

³²⁶ Ibid., 1315.

³²⁷ Ibid., 1316.

³²⁸ Ibid.

³²⁹ Ibid., 1321.

The simplest definition Musil gives is that love is “being torn by doubts and anxieties, pain and longing, and vague desires!”³³⁰ and this might explain why Musil writes in the last of these chapters, that every emotion carries dualities and that part of being in love is that Agathe and Ulrich experience the feeling of wanting to be together and not wanting to be together. In the end, they are left with the freedom of possibility and the enjoyment of a mystical, “imperishable,” and internal longing rather than the romantic disillusionment of its fulfillment.³³¹ In response to Ulrich’s description of the ability of their passion to rise to its apex only by not acting on it, Agathe reminds Ulrich of the two different expressions of passion, “[o]ne would be ‘worldly’ emotion, which never finds peace or fulfillment; the other...the emotion of a ‘mystical feeling that resonates constantly but never achieves ‘full reality.’³³² Perhaps Musil finds the unending mystical longing more satisfying than the disappointment of immediate gratification this world has to offer.³³³ There does not appear, however, to be the possibility of a consummation of love in this world.³³⁴

³³⁰ Ibid., 1320.

³³¹ Ibid., 1333, 1334.

³³² Ibid., 1330-31.

³³³ For a related, but alternative interpretation, see Genese Grill, “The ‘Other’ Musil: Robert Musil and Mysticism” in *A Companion to the Works of Robert Musil*, ed. Philip Payne, Graham Bartram, and Galin Tihanov (Rochester, New York: Camden House, 2007).

³³⁴ Musil opts for a secularized, refurbished Romantic ideal of love, as previously noted. This conception also stands in contrast to a biblical of the ‘Sacred Romance.’ God first reveals himself to his creation by making them in his image—as male and female. In this sense, God pursues and desires to be pursued. The romantic, sexual relationship between a man and a woman represents the intimacy God wants to have with his people. The story of Hosea and his unfaithful wife who is a prostitute represents God’s faithfulness to his people. Jesus is referred to as the Bridegroom, which foreshadows the Wedding Feast when he returns for his bride, the church—hence, the significance of his first miracle of turning water into wine at a wedding feast. Brent Curtis and John Eldredge use this concept to explain the suffering in the world as part of a larger story in which God, as both Author and Main Character, sets out to rescue his Beauty. Brent Curtis and John Eldredge, *The Sacred Romance: Drawing Closer to the Heart of God* (Nashville: Thomas Nelson, Inc. 1997).

Through his portrayal of the pathological and obscene—that is, sexual murder—Musil shows the reality of the complex malaise of individuals and society as well as the need of selfless love to redeem the emptiness of the modern world. In this sense, Musil’s view defends the use of violent sexual themes in art as a way to make himself and the world more whole through the message of selfless love in his literature as well as in the experience of reading literature. Musil’s intention is not to silence and destroy women as a means of self-defense or to reconstitute his own masculine and artistic identity. Although Musil is able to sympathize with and imagine a character such as Moosbrugger, Musil’s depiction of a sexual murderer never takes on the more blatant element of self-portrayal as it does in the work of both Dix and Grosz.³³⁵ Even if Musil wrestles with his own love and hatred for women and can identify with Ulrich in Ulrich’s selfish relationships with Leona, Bonadea, and Gerda, Musil holds Ulrich to a higher standard because Ulrich knows better than Moosbrugger. At one point Ulrich realizes, “a person able to be responsible for what he does can always do something different, but a person who isn’t *never* can.”³³⁶ Musil also holds out the possibility of transformation for Ulrich in his loving relationship with Agathe.

Moreover, Musil believes that art can imagine new possibilities. Musil sees the detachment of inner feeling from the public persona, represented foremost by Arnheim, as the crisis of modern individuality. By looking at a figure such as Moosbrugger who stands outside of social norms, Musil could possibly tap into the deep emotion that he

³³⁵ See Maria Tartar, *Lustmord: Sexual Murder in Weimar Germany* (Princeton: Princeton University Press, 1995); David S. Luft, *Eros and Inwardness in Vienna: Weininger, Musil, Doderer* (Chicago: The University of Chicago Press, 2003), 107.

³³⁶ Musil, *MwQ*, 286.

feels is no longer available to most of his contemporaries.³³⁷ As early as 1913 Musil wrote:

Even a sex-murderer is, in some cranny of his soul, full of inner hurt and hidden appeals...In the criminal there is both a vulnerability and a resistance against the world, and both are present in every person who has a powerful moral destiny. Before we destroy such a person—however despicable he may be—we ought to accept and preserve what was resistance in him and was degraded by his vulnerability.³³⁸

Although Musil wishes to distill the lessons one might learn from the case of a Moosbrugger, in the end Moosbrugger is not saved—whether one takes either the version in which Ulrich tries to free Moosbrugger or the one in which Clarisse and Rachel try to save him and he ends up tearing another woman to pieces. In the second case, clearly it would have been better had they not tried to free him. In contrast once again to the intensity of feeling in Moosbrugger, Musil uses the relationship between Agathe and Ulrich to recapture the intensity of emotion previously associated with the divine.³³⁹

Musil rejects “‘the healthy at any price’ German art” because he wonders if there would be art at all if art never depicted the unhealthy or were never preventative. However, Musil does not defend the use of violence and sexuality just for the sake of portraying bourgeois depravity or the fragmentation of the modern world. He argues that art grows in knowledge of the decent and healthy by studying the obscene and

³³⁷ Philip Payne, “Introduction: The Symbiosis of Robert Musil’s Life and Works” in *A Companion to the Works of Robert Musil*, ed. Philip Payne, Graham Bartram, and Galin Tihanov (Rochester, New York: Camden House, 2007), 42, 43. Musil’s problem with Rathenau’s views was that Rathenau had “devalued the realm of mystical by failing to subject the experience to detailed intellectual scrutiny.”

³³⁸ Robert Musil, “Moral Fruitfulness (1913)” in *Precision and Soul: Essays and Addresses*, ed. and trans. Burton Pike and David S. Luft (Chicago: University of Chicago Press, 1990), 39; *Ibid.*, 109, 114, and 117.

³³⁹ Payne, “Introduction,” 45.

pathological. He compares art to medicine in which one must accept “undesirable side effects for the main goal.”³⁴⁰ In regard to the literary representation of sexuality, Musil argues in “The Obscene and Pathological in Art” (1911) that “‘art ought to be permitted not only to depict the immoral and the completely reprehensible, but also to love them’ and to transform them into something that is no longer obscene or sick.”³⁴¹ Art, then, could be used to redeem the horrible aspects of human existence.

While science sees all things without love, Musil argues that people and even lifeless objects are changed if we see them with love.³⁴² The ability to understand is based on the ability to imagine another’s point of view and see the contradictions in one’s own morality and behavior. Musil does not mean that feelings of empathy should suspend all judgment. He is in favor of art that makes one empathetic, but he knows that this ambiguous ethical life makes one feel isolated. He believes in the presence of altruism and egoism in every act, pointing to the complexity of reality and the individual.³⁴³ Musil writes that it is the “need for the unequivocal, repeatable, and fixed is satisfied in the realm of soul by violence.”³⁴⁴ Musil wants to create a way in which one could overcome one’s antisocial instinct and love the Other, even the criminal.³⁴⁵ Rather

³⁴⁰ Robert Musil, “The Obscene and Pathological in Art (1911).” In *Precision and Soul: Essays and Addresses*, ed. and trans. Burton Pike and David S. Luft (Chicago: University of Chicago Press, 1990), 6,8, 9; Luft, *Eros and Inwardness in Vienna*, 107-08.

³⁴¹ Musil, “The Obscene and Pathological in Art,” 5; Luft, *Eros and Inwardness in Vienna*, 107.

³⁴² Luft, *Eros and Inwardness in Vienna*, 123.

³⁴³ *Ibid.*, 108, 109.

³⁴⁴ *Ibid.*, 119. Robert Musil, “The German as Symptom (1923)” In *Precision and Soul: Essays and Addresses*, ed. and trans. Burton Pike and David S. Luft (Chicago: University of Chicago Press, 1990), 182.

³⁴⁵ Genese Grill, “The ‘Other’ Musil: Robert Musil and Mysticism” in *A Companion to the Works of Robert Musil*, ed. Philip Payne, Graham Bartram, and Galin Tihanov (Rochester, New York: Camden House, 2007), 336-337, 342.

than seeing Musil's conception as a narcissistic search for wholeness, the spiritual romantic union makes it possible for Ulrich to love Agathe as himself because he sees her as an extension of himself—Musil does not believe that pure altruism is possible anyway.

Musil allows for the variety of individual identity rather than identity based on the tenuous foundation of nationalism or rigid gendered polarities. If one takes literature and reality together, just as Ulrich believes that metaphor and truth need to be taken in together, then perhaps Musil's metaphoric solution of love in the form of an incestuous union begins to make more sense as a way to form a secular spirituality in the modern world. Musil hopes that love can counter both judgmental moral knowledge and indifferent scientific knowledge and through art he envisions more varied identities.

The theme of sexual murder in *The Man without Qualities* begs several insights, however, into the actual prevailing experiences of women as women in Vienna before and after World War I. Although Ulrich could argue that where love is not mutually requited between equals, "love degenerates like unhealthy tissue!"³⁴⁶ Musil's idealized view of Romantic incest does not take into account that the equality necessary between men and women was not socially possible from women's point of view. First, Moosbrugger, charged with multiple counts of vagrancy and Hedwig, who possibly tries to seek shelter with Moosbrugger, figure as examples of gendered urban problems of poverty. As historian Susan Zimmermann argues, the Viennese municipal government in pre-war Vienna handled both problems of vagrancy and prostitution, which stemmed from poverty, in two very different ways. While legislation and actual enforcement considered prostitution a separate category, authorities outlawed vagrancy and begging.

³⁴⁶ Musil, *MwQ*, 1323.

Prostitution, in contrast, was regarded as “natural” and regulated beginning in 1873, in order to serve male interests and to protect bourgeois men’s health, since the women’s health was not at issue.³⁴⁷ Additionally, welfare policy near the First World War worked to improve problems of vagrancy and begging as increased industrialization called for more labor, while welfare policies did not work to decrease regulated prostitution. “Immoral” women were not allowed to visibly look like prostitutes in urban spaces that “moral” women used.³⁴⁸

Second, the issue of gender and the traversing of public urban space in *The Man without Qualities* offers another insight into women’s experiences as women. Most women did not walk in urban streets alone at night in pre-war Vienna. In Musil’s novel, two women who walk alone at night, unsurprisingly, are the prostitutes Moosbrugger and Ulrich encounter. Gerda, Clarisse, and possibly Bonadea do so in order to violate another social convention and secretly go to Ulrich’s house in order to seek out sexual relations with him. The other women who walk alone at night are subject to the foiled attempts of a man who desires to accost them. In this sense, women are both less free to be autonomous beings and more vulnerable to sexual attack. The other risk of walking alone at night in Vienna for a woman was that she could easily be mistaken for a ‘covert’ prostitute and subjected to harsher treatment than a ‘regulated’ prostitute. Ulrich is overtaken and beaten in the beginning of the novel when he is out alone one night, but he is not harmed sexually. Only Clarisse gets to go out one night alone to get away from

³⁴⁷ Susan Zimmermann, “‘Making a living from disgrace’: the politics of prostitution, female poverty and urban gender codes in Budapest and Vienna, 1860-1920” in *The City in Central Europe: Culture and Society from 1800 to the Present*, ed. Malcolm Gee, Tim Kirk, and Jill Steward (England: Ashgate Publishing Limited, 1999), 182-84, 191.

³⁴⁸ Ibid., 189, 191.

Walter using the excuse that she is going to look for nocturnal butterflies, but this is not a very urban space, “With her bread and cheese she roamed the meadows; it was a safe neighborhood and she needed no escort.”³⁴⁹ Silent reverie alone at night in urban spaces does not seem a possibility in which women get to partake.

Flanerie, especially in urban spaces alone at night, allows for an experience of autonomy and a special way of understanding oneself and one’s relationship to the world that was denied to most women. Ulrich, for example, does get to partake of this luxury in a way that his female counterparts cannot, “Ulrich decided to walk home. It was a fine night, though dark. The houses, tall and compact, formed that strange space ‘street,’ open at the top to darkness, wind, and clouds.”³⁵⁰ Without fear Ulrich muses over the dilemma of his existence walking along the Ringstrasse before he runs into the prostitute:

Happiness, after all, depends for the most part not on one’s ability to resolve contradictions but on making them disappear, the way the gaps between trees disappear when we look down a long avenue of them. And just as visual relationships of things always shift to make a coherent picture for the eye, one in which the immediate and near at hand looks big, while even the big things at a distance look small and the gaps close up and the scene as a whole ends by rounding itself out, so it is with the invisible connections which our minds and feelings unconsciously arrange for us in such a way that we are left to feel we are fully in charge of our affairs. And just this is what I don’t seem to be able to achieve the way I should, he said to himself.³⁵¹

While Ulrich may not feel “fully in charge” of his affairs, women, who either feel unsafe to walk alone at night in urban spaces or are not allowed to, do not get to experience the physical and mental autonomy Ulrich exercises. Anke Gleber observes how a flaneur “is

³⁴⁹ Musil, *MwQ*, 66.

³⁵⁰ *Ibid.*, 706.

³⁵¹ *Ibid.*, 707-08.

at once a spectator, a camera, with his mind as a medium of recording, and a director who writes and edits images in a test of what he has seen.”³⁵² The prostitute who walks in urban spaces alone at night does share in this male realm of freedom, yet not equally:

Unlike the male flaneur and his gaze, the prostitute is not his female equivalent but rather the image and object of this gaze. Not free to drift along the streets, she is driven into and down the streets by pressing economic motives. She does not pursue her own sensory experience but rather seeks to divest herself of this very experience by gainful means...she does not have the streets at her disposal any more than she commands the use of her own body.³⁵³

While Musil chooses to blur gender differences (not for the sake of women’s political and economic emancipation), the social context of pre-war Vienna functioned on clear gendered boundaries that in many cases restricted women’s freedom and limited how they could experience autonomy and forge their own varied identities in a male dominated world.

Lastly, although Musil portrays Agathe as Ulrich’s equal in many ways, Agathe’s experience reveals that she is very much aware of the disparity caused by gender differences. For example, uneven sexual relations with men fail to hold a mystifying power over her:

The world of acted-out fantasies, the theatricality of love, left her unenchanted. These stage directions for the soul, mostly formulated by men, which all came to the conclusion that the rigors of life now and then entitled one to an hour of weakness—with some subcategories of weakening: letting go, going faint, being taken, giving oneself, surrendering, going crazy, and so on—all struck her as smarmy exaggeration, since she had at no time ever felt herself other than weak in a world so superbly constructed by the strength of men.³⁵⁴

³⁵² Anke Gleber, *The Art of Taking a Walk: Flanerie, Literature, and Film in Weimar Culture* (Princeton: Princeton University Press, 1999), 188.

³⁵³ Ibid., 183.

³⁵⁴ Musil, *MwQ*, 792.

Agathe thus recognizes the inferior position in which she finds herself. Later, when she fears that Ulrich does not feel the same for her, she further realizes her limited options. She even considers killing herself. On the surface, she has initiated divorce with her husband on grounds that would appear totally absurd to her contemporaries. However, in order to preserve her social and economic position in the first place Agathe had to forge her father's will to keep her inheritance. She also cannot envision any future marriage prospects that would be fulfilling and she awkwardly shares a bachelor lifestyle with her brother. She has no desire to bear children, nor any desire to become an "emancipated" woman. The only moments in which she walks outside alone are when she feels that she must get away from Ulrich. When Ulrich and Agathe do intimately relate to each other, it is privately indoors or in parts of the city where their social circle is less likely to see them. For this reason, Ulrich and Agathe carry on an impractical, inactive lifestyle in their father's house at first and then later in Ulrich's house and garden. Agathe appears to have few options of what to do with her life should Ulrich eventually pursue a life of action as he intends.³⁵⁵ Although Musil could conceive of selfless love between equals, social conditions in Austria did not actually permit the social equality of men and women necessary for the embodiment of his ideal.

In conclusion, Musil uses sexual murder as an example of the potential moral ambiguity of every situation, including a repulsive act of sexual violence. He does this by creating sympathy for Moosbrugger and by showing that the same rationality and irrationality within Moosbrugger exists within the society that is putting him on trial. However, Musil does not absolve Moosbrugger of all guilt. Musil only wishes to

³⁵⁵ Ibid., 813, 1035-36, 1044-45, 1130, and 1192.

complicate the meaning of truth. With his knowledge of endless possibilities and without any certainties, Ulrich is left without an identity on which to ground himself. Paralled and contrasted with Moosbrugger, the sex murderer, it becomes clear that Ulrich cannot put his thoughts into action nor can he act on feeling without thinking. Sexual murder as a form of extreme individualism stands in contrast to the possibility of unselfish love that is found in Agathe and Ulrich's incestuous mystical union. Love dissolves dualities of thinking and feeling, amoral scientific knowledge and judgmental moral knowledge, metaphor and truth, literature and life, and male and female, while simultaneously preserving their distinct attributes. Scientific materialism and philosophical irrationalism in pre-war liberal Vienna and the breakdown of ideologies and identity after World War I clearly influence Musil's ideas. Additionally, Musil's literary use of sexual murder stands in contrast to some representations of sexual murder in Weimar Germany, which figure as examples of a masculine crisis of identity at the cost of woman's mutilated bodies in which perpetrators view themselves as victim. Since Musil believes in the flexibility and variety of identity, he is less concerned with the prevailing biological and feminist discourses based on rigid gender differences. However, because of their sex, women in Vienna around World War I were not actually as free to explore the many possibilities of living of which a figure such as Ulrich could conceive. In this way, the equality necessary for the kind of love Musil could conceive of in the form of idealized Romantic incest to unite differences between the male and female was not actually possible.

Conclusion

As Robert Musil noted regarding the case of Moosbrugger, society needed to reaffirm its own moral fabric after a case of Lustmord. In the newly industrializing Prussian province of Westphalia, the numerous attacks and murders of women and girls working or walking alone out of doors shocked those living in the area around Bochum from 1878 to 1882. Both authorities and the alerted public failed to identify the perpetrator(s) and the community longed for the execution of the perpetrator, while mourning and honoring the memory of the victims. After the fifth murder, that of the midwife Becker, in which a man had lured the victim from her home under the pretext of needing her to perform her occupation, authorities and the public identified the series of crimes (which included strangulation, violation, and mutilation) as cases of Lustmord. Newspaper articles in Leipzig and Berlin from 1880 and 1881 accounted for Lustmord's entrance into the Brothers Grimm German Dictionary in 1885, in which Lustmord was defined as murder motivated by lust, after rape had taken place. The fear of social instability, including not only murders, but also labor unrest in parts of Germany sometimes referred to as Germany's 'Wild West,' prompted officials in the Justice Ministry in Berlin to try to persuade Kaiser Wilhelm I repeatedly of the need to "make an example" of capital punishment and to respond to a "popular sense of right and wrong." In this way, officials in Berlin persuaded the Kaiser not only by using the language of deterrence, but also by emphasizing the public's wish for retributive punishment.

The popular understanding of the concept of Lustmord developed along somewhat different lines than the scientific understanding. In contrast to the definition

that appeared in the Brothers Grimm German Dictionary, German-born Austrian professor Richard von Krafft-Ebing defined Lustmord as only those murders that were motivated by lust, in which rape did not necessarily have to take place, since he believed that in these types of murder sexually violent acts often took the place of coitus. He believed that by simply looking at the type of injuries to the body of the victim, one could determine if the crime was a Lustmord. His observations about Lustmord and related phenomena in 1886 would help him to create his later category of sexual perversion, sadism, in 1890. The case of Jack the Ripper did not play a central role in Krafft-Ebing's development of the concept of Lustmord, even though Jack the Ripper would play a role in German representations of Lustmord by the turn of the century. Krafft-Ebing's choice to focus on pathological criminals and their crimes, and not victims of such crimes, would be representative of modern criminological attitudes toward serial murder until well into the twentieth century.

The prevalence of this kind of serial murder prompted experts, however, to attempt to develop psychiatric and legal methods of dealing with such crimes. In the case of Georg Ilberg, a psychiatrist in Saxony whose interest in the topic stemmed from that of the sensational reaction in Berlin to Theodore Berger's murder of Lucie Berlin in 1904, Ilberg saw the importance of correctly distinguishing between true cases of Lustmord and similar sexually violent crimes since German legal punishments differed so greatly for the two types of crimes. He defined Lustmord as the manifestation of a degenerate sex drive, but he believed that lust-killing was a more appropriate term than lust-murder. His admonition that the mental health of a perpetrator be judged based on the personality of the perpetrator rather than the style of these kinds of crime helps explain the expenditure

of time and energy of jurists and psychiatrists in the case of Christian Voigt in Vienna several years later. Ilberg's clear distinction between sadistic behavior and mental health explained why medical and legal experts believed that a perpetrator's mental health—not the sadistic nature of his crimes—should determine his ability to be held responsible before the law. A layman might have assumed that only madmen were capable of such sadistic crimes, as Musil had. Musil satirized the hesitation of the press in Moosbrugger's case to come to "the most obvious explanation, that the man before them was insane—for Moosbrugger had already been in various mental hospitals several times for similar crimes...it looked as though they were still reluctant to give up the idea of the villain, to banish the incident from their own world into the world of the insane."³⁵⁶

Erich Wulffen's legal understanding of Lustmord as manslaughter under German law rather than murder theoretically would have greatly lessened the severity of the punishment for cases of Lustmord. In 1941, sexually motivated murder, however, entered German criminal law under the category of first-degree murder, alongside other long-established types of murder such as murder motivated by robbery (*Raubmord*). Wulffen defined Lustmord using Ilberg's definition, and Wulffen's legal understanding of the connection between alcohol, epilepsy, and Lustmord relied on Krafft-Ebing's interpretation. Wulffen's synthesis of current understandings of epilepsy in 1910 also helps explain how jurists and psychiatrists would examine Voigt.

The crimes of Christian Voigt presented a challenge for both psychiatrists and jurists. In a case of diminished responsibility—before the law provided for it, but when current legal attitudes had already recognized the need for it—psychiatric evaluations of

³⁵⁶ Robert Musil, *The Man without Qualities*, trans Sophie Wilkins and Burton Pike, 2 vols. (New York: Vintage International, 1995), 68.

Voigt from his previous stays in German asylums and those conducted for his trial in Austria varied significantly. Much energy and time went into understanding whether to view his crimes against Josefine Peer as Lustmord or not—in this case, this meant murder or manslaughter—and whether he could be held responsible for his crimes. While the general legal environment in pre-war Vienna usually caused criminals to attempt to plead insanity whenever possible, Voigt argued that he should be held responsible for his crimes so that he could avoid being placed in an asylum for life. Voigt did not regard his crimes as murder since he argued that he had committed them only in affect (Wulffen would have agreed that even if it was a Lustmord, it was manslaughter), but Austrian psychiatrists, jurists, and the public viewed Lustmord as one of the worst possible crimes, as Ilberg had. In his closing speech, the public prosecutor argued that Voigt's crimes provided proof of Lustmord, if such proof was needed, and he asked who could comprehend such a horrible crime. Psychiatrists, jurists, and the jury believed that Voigt had to be held responsible for his crimes. However, when it came to actually determining his punishment, the public prosecutor and judges were in agreement that Voigt's unfortunate upbringing, his degenerate and ethically defective background, the connection between alcohol consumption, acting on sadistic impulse, and his "sexual suffering" should spare him from the death penalty. According to Karl Corino, Voigt was pardoned by the Kaiser because of massive doubts about his sanity.³⁵⁷ The view of criminals as rational beings in pre-war Vienna by experts and the press, rather than as monstrous other, accounts for why Musil was able to so sympathetically portray the sex murderer Moosbrugger. However, Musil's personal desire to use the trope of a sex

³⁵⁷ Karl Corino, "The Contribution of Biographical Research to the Understanding of Characters and Themes of *Der Mann ohne Eigenschaften*" in *A Companion to the Works of Robert Musil*, ed. Philip Payne, Graham Bartram, and Galin Tihanov (Rochester, New York: Camden House, 2007), 300.

murder to show how art might love something reprehensible and transform it into something no longer reprehensible greatly differed from his German modernist counterparts, such as Otto Dix or George Grosz.

Voigt received care from the state because of his crimes, just as Rosa Kustor received treatment because of the importance of having her as a witness—even though her police report of this sadistic violence did not merit serious attention. In both cases, their behavior played a large role in how experts regarded them. Both Voigt and Kustor were at the mercy of experts in letting their voice be heard. Voigt behaved well and fought to have a trial, but Kustor had far less power when she was on the witness stand. She could not speak unless permitted—that is, not until it had been determined that her intellectual ability and behavior gave reason to believe that her testimony was reliable—despite the fact that the prostitutes Wilhelmine Schöpp and Juliane Scherer had already testified to the evidence of Kustor’s violent encounter.

In the case of Carl Grossmann in post-war Berlin, as historian Sace Elder has demonstrated, although many women gave voice to their experiences during the investigation, the press obfuscated the causes of many women becoming prey to Grossmann’s abusive proclivities and explained it as characteristic of this proletarian part of Berlin. The press also falsely portrayed the female survivors and victims of Grossmann’s abuse as being exclusively prostitutes or otherwise socially marginal migrants to the city. In contrast, in the case from 1904 of Lucie Berlin, the press made legible another poor proletarian part of Berlin for Berliners, who avidly ate up the news. The press also created an open space for discussion about how to improve various aspects

of the city, as historian Peter Fritzsche has shown. Certainly social, economic, and political post-war problems contributed to this change in response.

My analysis shows that a close observation of the attitudes of Grossmann's first set of neighbors reveals that they did not agree with his treatment of the women and girls he lured to his suburban cabin and they expelled him from the garden community. As in the case of Enniger, the reaction to such violence resulted in Grossmann's neighbors pushing out the danger they felt he presented to their community. However, by not turning to the police or because of their fear that the police would not be able to remove the danger he presented to the community, they allowed him to perpetrate violence in another area of Berlin. Similar to Voigt, Grossmann had experienced geographical dislocation throughout Germany (in addition to having a record of sex crimes), before he became more permanently rooted in Berlin. In his tenement apartment in the Silesian train district, his new neighbors also did not approve of his activities, but they felt limited in their ability to stop him. However, they did not turn to the police. Only the Itzigs turned to the police after their close, purposeful surveillance. By catching him in the act of murder, but not stopping him before that, they ensured that the police would arrest Grossmann and they could extricate themselves from their relationship to him and remove him from their environment. Arresting him for violent sex crimes in which the victim survived, i.e., attempted murder, would not have had the same effect. Experts and the press regarded his murders as cases of Lustmord because of the sadistic violence involved, even though Grossmann claimed to have murdered his victims for other reasons. Grossmann claimed that the reason he murdered Marie Nitsche was because of her attempt to steal from him. In the other murders, he claimed that the reason why he had

murdered Johanna Sosnowski was because she had “cheated” on him and the reason why he had murdered Martha was because she had refused to sleep with him.

As Maria Tatar has observed in her monograph *Lustmord: Sexual Murder in Weimar Germany*, perpetrators often see themselves as victims and do not realize the harm they have done to others.³⁵⁸ I would add that without hearing the victim’s perspective, perpetrators could never understand the extent of the injury their actions caused. What is most interesting is that in both Voigt and Grossmann’s cases, they felt justified in harming their victims because they felt their victims had harmed them. Grossmann felt free to avail himself of the police when he believed that women stole from him, but survivors of his abuse experienced limited confines in which to have their experiences redressed. Voigt also did not see himself as a criminal because, as he and Emma explained, he had never stolen. (Voigt and his wife were both German). Since according to German law, sex crimes were considered crimes against morality, not against property as they previously had been in the nineteenth century, crimes against morality took a lower position than crimes against property in popular thinking. Lustmord was perhaps an exception because it involved murder—though not in Emma’s mind because she felt she needed Voigt’s honest labor for her own survival after the war. Additionally, as the work of historian Belinda Davis on wartime Berlin has shown, authorities took theft by women even more seriously because of the political threat it had presented during the war.³⁵⁹

³⁵⁸ In her conclusion, Tatar argued that, “the ‘Lust’ in *Lustmord* had more to do with retaliatory pleasures of an aggressor who perceives himself as a victim than with sexual desire.” Maria Tatar, *Lustmord: Sexual Murder in Weimar Germany* (Princeton: Princeton University Press, 1995), 18-19, 67, and 182-3.

³⁵⁹ See Belinda Davis, *Home Fires Burning: Food, Politics, and Everyday Life in World War I Berlin* (Chapel Hill: University of North Carolina Press, 2000).

Grossmann's neighbors had not turned to the police; however, after his crimes became "public," a newspaper article reported that a crowd gathered in an attempt to lynch him. Public opinion was not sympathetic to Grossmann, as it had been toward Voigt. After Grossmann's trial, conviction, and jail suicide in 1922, the particularly gruesome crimes of Fritz Haarmann in Hanover (1918-1924), Karl Denke in Münsterberg (1903-1925), and Peter Kürten in Düsseldorf (1929) continued to horrify Weimar Germany. The magnitude and violence of their crimes resulted in their execution. As the extensive work of historian Richard Evans on the history of capital punishment has shown, however, there had been a brief moment from 1924 until 1928, during the relatively stable middle years of the Weimar Republic, when officials considered abolishing the death penalty from the new Criminal Code since the Austrian Republic had already done so. With personnel changes in the Reich Justice Ministry, the sensational case of Kürten and his subsequent execution served as a turning point in the history of capital punishment in the Weimar Republic by effectively preventing the abolishment of capital punishment in 1931.³⁶⁰

The ways in which I have examined the interpretation of Lustmord in popular, medical, legal, and literary thinking shows that although interpretations of Lustmord changed and varied in the late-nineteenth and early-twentieth century, German-speaking Europeans took it seriously as a modern phenomenon. Their attempts to control, define, and understand it led, however, to its acceptance, to some degree. The current fascination with serial sex murder has not abated in the United States in the twenty-first century; however, there is good reason to believe that the cultural normalization of these crimes,

³⁶⁰ Richard J. Evans, *Rituals of Retribution: Capital Punishment in Germany, 1600-1987* (Oxford: Oxford University Press, 1996), 530-36, 564-71, and 591-610.

expressed in popular genres and in legal rulings against violent sex offenders in the U.S., has increased. The unbelievable case of Rodney Alcala, the “Dating Game” serial-killer, in particular, comes to mind here. By comparison, the reactions of nineteenth- and twentieth-century German-speaking Europeans toward serial murder appear to be much more “normal” and comprehensible in each of their very historically diverse periods.

Musil famously characterized the human tendency to regard others as inferior or as a threat because of difference: “It is a basic trait of civilization that man deeply mistrusts those who are outside his own circle, so it is not only the Teuton who looks down on the Jew but also the soccer player who regards the pianist as an incomprehensible and inferior creature...man’s deepest instinct is his antisocial instinct.”³⁶¹ However, he attempted to find a way as an artist to love even a sex murderer. His ability to love—that is, to see new perspectives using the themes of Lustmord and love—succeeded. Musil’s formation of a secular, but spiritual concept of incest drew on the Romantic tradition, which had concerned itself with a search for individual freedom and wholeness through self-assertion and self-surrender. His solution of approaching each circumstance with thinking and feeling and seeing it through eyes of love could provide a means of being able to love others and objects and change them in the process. He also desired that humans would recognize the inconsistency of their own moral beliefs and actions, so as not to judge others.

Musil also hoped to be able to love a woman selflessly. He and others from his generation, including Auguste Forel, were critical of marriages and relationships that could be characterized as “egoism by twos.” Musil’s insight into a man’s ability to love a

³⁶¹ Musil, *MwQ*, 21-22.

woman based on his ability to see her as a part of himself reflects his early poem “Isis-Osiris,” which he referred to as his novel “in nucleo:”

And the sister loosened from the sleeper
Softly his sex and ate it
And she gave her soft heart in return, the red one
To him and laid it upon him
And the wound healed in the dream together
And she ate his sweet sex.

As literary scholar Genese Grill writes, “His poem imagines the ultimate union of the sibling lovers through an erotic theophagic exchange. The god and goddess eat each other...The siblings have exchanged organs; they have become each other, but the implication is that they will enact this ritual over and over, indefinitely.”³⁶² Despite Musil’s skepticism about the inability of human love to approach divine perfection, Musil viewed the desire for two to be part of each other as the ultimate expression of love.³⁶³

³⁶² Genese Grill, “The ‘Other’ Musil: Robert Musil and Mysticism” in *A Companion to the Works of Robert Musil*, edited by Philip Payne, Graham Bartram, and Galin Tihanov (Rochester, New York: Camden House, 2007), 341-42.

³⁶³ Musil’s attempts to conceptualize a refurbished Romantic ideal of love and to find a way to love a woman by seeing her as part of oneself are secular counterparts to biblical metaphors. In the passage from Ephesians 5:25-33, Paul admonishes wives to respect their husbands and for a husband “to love his wife as himself.” In this passage, husbands are to be willing to sacrifice for their wives just as Christ did for the church and as Christ loves the church, so should “husbands love their wives as they do their own bodies” because “he who loves his wife loves himself.” As followers of Christ are part of his body, so will a man will leave his father and mother to be joined to his wife, and “the two will become one flesh.”

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